

THE DEPARTMENT OF STATE



Bulletin

Vol. XL, No. 1044

June 29, 1959

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THE
OFFICIAL
WEEKLY RECORD
OF
UNITED STATES
FOREIGN POLICY

THE DEPARTMENT OF STATE

Bulletin

VOL. XL, No. 1044 • PUBLICATION 6837

June 29, 1959

For sale by the Superintendent of Documents
U.S. Government Printing Office
Washington 25, D.C.

PRICE:
32 issues, domestic \$8.50, foreign \$12.25
Single copy, 25 cents

The printing of this publication has been
approved by the Director of the Bureau of
the Budget (January 20, 1958).

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U.S. Presents Views on Berlin Issue at Geneva Conference; Rejects Soviet Proposal on West Berlin

Statements by Secretary Herter

STATEMENT OF JUNE 5

Press release 402 dated June 8

My purpose today is to indicate to the conference my Government's views on the Berlin issue, after having taken into account the discussions we have had during the past weeks.¹ I shall try to explain the objections we have to the Soviet Union's plan to impose a new status on West Berlin prior to the reunification of Germany. I shall try to explain the reasons why we think that the Berlin proposal contained in the Western peace plan² is a reasonable solution for the interim period prior to the reunification of Germany.

Before making these points, however, I would like to suggest that, in dealing with the great political issues that concern us here, there may be a tendency to overlook the fact that the lives and liberties of more than 2 million persons are at stake in our deliberations.

To keep a good sense of proportion on this score let us not forget that the population of West Berlin is greater than the population of almost 20 percent of the member nations of the United Nations. And it is estimated that the value of the goods and services produced in West Berlin last year exceeded the gross national product of more than half of the members of the United Nations.

Defects in Soviet Plan for West Berlin

The Foreign Minister of the Soviet Union has said that by the term "the Berlin problem" he

meant "primarily the ending of the occupation in West Berlin." It seems that this definition minimizes the real dimensions of the Berlin problem. For us, the Berlin problem means maintenance of freedom for more than 2 million human beings who at the end of the war with the agreement of the Soviet Government came under the occupation authority of the three Western Powers.

Although our rights in Berlin stem from the war, our obligations arise from the trusteeship which we have undertaken to exercise for the people of Berlin until the reunification of their country removes this need for our protection. The past 14 years have shown that West Berlin is encircled by hostile forces and that its independence and well-being are dependent upon the presence of the three Western Powers in the city and in the maintenance of the political and economic links between Berlin and the West.

I think that there is another fundamental difference between the Soviet Union and ourselves on this matter of Berlin. This difference derives from our different attitude toward the reunification of Germany. Although talking about the ideal of German unity and recognizing that German reunification is the real key to the Berlin problem, the Soviet Union has openly adopted a two-Germany policy, if not a three-Germany policy. Now how does West Berlin fit into this policy of the permanent partition of Germany? The Soviet Foreign Minister gave us the answer on May 30 in one of the most revealing statements made during the many plenary sessions we have held. I should like to quote from RM/Doc/29 dated May 30, and I am quoting the Soviet Foreign Minister:

¹ For statements made by Mr. Herter during the first 3 weeks of the Foreign Ministers Conference at Geneva, see BULLETIN of June 1, 1959, p. 775; June 8, 1959, p. 819; and June 15, 1959, p. 859.

² For text, see *ibid.*, June 1, 1959, p. 779.

If we are to speak frankly, the Soviet Government considers the creation of a free city far from being an ideal solution of the West Berlin question. The most equitable approach to this question would be, of course, the extension to West Berlin of the full sovereignty of the German Democratic Republic. I think that the German Democratic Republic, whose capital the division of the city continues to mutilate, could with the fullest justification demand such a solution of the question.

I am grateful to Mr. Gromyko for his willingness to speak so frankly. We thus have in his own words a clear and valuable statement of the ultimate objective of the Soviet Union regarding West Berlin.

Under this policy the Soviet Union asserts that it would be most acceptable for West Berlin to be annexed to the so-called "German Democratic Republic." Mr. Gromyko has made no bones about this. This is his preferred solution to the Berlin question. It is no wonder then that the Western Powers, who see in the reunification of Germany the only real solution to the Berlin issue, are having difficulty with the Soviet interim plan for West Berlin.

It may be useful to look at this admittedly "second preference" Soviet plan a little more closely.

Since the prime Soviet purpose is to remove the Allied presence from West Berlin, it is not surprising that the key part of the plan is the termination of Western occupation rights. Even if, as is clearly not the case, the rest of the plan were acceptable to us, this point alone would vitiate the entire scheme.

During the course of our talks about Berlin this conference has clarified at least one important matter. The Western Powers presence and their access to Berlin are a matter of right: They are not at the sufferance of any other authority, legitimate or otherwise. On June 2d Mr. Gromyko told us:

The representatives of the Western Powers interpret not infrequently the proposal of the Soviet Government concerning the granting of the status of a free city to West Berlin as if the Soviet Union disregards the rights of the U.S., U.K., and France, which arise from the capitulation of Hitlerite Germany, but this is an inaccurate interpretation. We do not consider that the troops of the U.S., the U.K., and France have turned up in Berlin by some sort of illegal means. . . .

This is a constructive if somewhat tardy recognition by the U.S.S.R. of our established and

legitimate rights, although historical facts support this juridical conclusion and exclude any other.

The second salient defect in the Soviet plan is that it would in effect compel the Western Powers to grant a measure of recognition to the so-called German Democratic Republic. No non-Communist nation has recognized this instrument of the Soviet Union as an independent nation. I can assure you that we have no intention of recognizing the so-called German Democratic Republic as the price of a solution to the Berlin problem.

I should point out one other serious defect in the Soviet plan. Although purporting to terminate the occupation, it would supplant the present regime by imposing in a real occupation spirit a new political status on the people of West Berlin. The U.S.S.R. in its note of November 27, 1958,³ formally acknowledged that West Berlin must be granted the right to whatever way of life it wishes for itself, with one qualification—"when the foreign occupation is ended." I cannot find any hint or suggestion in the Soviet plan that, even though the "foreign occupation" would be ended under the Soviet plan, the people of West Berlin would have any real voice in whether or not the proposed new political status should come into existence.

As a matter of fact, the West Berliners have by an overwhelming vote endorsed their present way of life—and by that same vote they have in effect rejected the Soviet scheme. They are in a first-rate position to judge for themselves the comparative merits of a free system and a Communist system.

The U.S.S.R. has vigorously urged that we impose this new unwanted status on West Berliners under the label of a "free city." Surely by this time the U.S.S.R. should have had enough experience with governments not based upon the consent of the governed! This indeed is a curious proposal coming from the Soviet Foreign Minister, who at the same time complains that the West Berliners are now being deprived by the Western Powers of rights contained in the charter of the United Nations.

One final defect in the Soviet plan should be noted. In addition to the Western military presence West Berlin owes its viability to its political,

³ For text, see *ibid.*, Jan. 19, 1959, p. 81.

economic, and social ties with the Federal Republic of Germany. The entire thrust of the Soviet plan for West Berlin cuts into these ties and is clearly intended to establish a situation which will be but a "way station" on the road to the preferred Soviet solution—that of annexation of West Berlin by the Communist-controlled authority in East Germany.

It seems to us that the term "free city" is a complete misnomer. There would be no freedom in this new status for the West Berliners since the new status would not cover a city but only a truncated two-thirds of a city.

The Soviet second-preference proposal contains nothing or practically nothing different from the November 1958 Soviet proposal for changing the regime in West Berlin (as modified subsequently by Mr. Khrushchev). In this proposal the Soviet Union does not appear to make any effort at all to meet the view of the Western Powers with respect to the essentiality of a clear maintenance of present Western rights in Berlin. It cannot form a basis for any solution of the Berlin issue raised by the U.S.S.R.

The Western Peace Plan

In rejecting the U.S.S.R.'s second-preference "free city" proposal the Western Powers do not maintain that the present situation is ideal. We do not say that it cannot be improved in some respects.

In our concentration on Berlin we perhaps have tended to overlook the other important aspects of the Western peace plan. It would be an illusion, and a dangerous one at that, to believe that any long-range Berlin solution can be reached in the face of a complete impasse on the central problem making for continuing European insecurity—that of a divided Germany.

The heart of the Western peace plan lies in its comprehensive proposal for the gradual reunification of Germany. The plan makes provision as well for European security and concomitant arms-control moves—and for an interim Berlin solution. But the continued dangerous division of Germany places great obstacles in the way of real progress on European security, arms control, and Berlin. The unification of Germany is still our main task. We are confident that the solution proposed in the Western peace plan will stand the

test of history and will be seen to offer reasonable answers to the great problems raised by the continuing division of Germany.

It seems clear from the worldwide appreciation which the Western peace plan has received that the Soviet's claim that it is but a device to generate disagreement has met the reception it deserved.

And so let us continue to look at these matters in parallel. In trying to improve the Berlin situation for the interim we must not do anything to put off the day when Germany is reunified. And in our striving for German unity we must not prejudice the position of West Berlin.

What is the interim Berlin proposal contained in the Western peace plan? It would, in advance of final reunification of Germany, permit the unification of the separated parts of Berlin. Free elections would be held throughout the city. The Four Powers would guarantee the freedom of the city and access thereto pending the reunification of Germany. These happy developments would take place in the very first phase of the Western peace plan. Their accomplishment would be a good harbinger of that greater unity which under our plan would follow shortly thereafter for all of Germany.

The U.S.S.R. gave short shrift to the whole Western peace plan as well as its all-Berlin proposal. On May 31st we read in the press that Mr. Khrushchev said at Tirana in Albania:

The seven-point plan tabled by Mr. Herter does not contain a single element for negotiation. These proposals are not based on a desire to find a correct solution with a view to achieving that relaxation of international tension which all the peoples so anxiously await.

Foreign Minister Gromyko said in a plenary session of this conference, June 2:

Unfortunately, this statement could not fail to give rise to a feeling of profound disappointment. [This is the statement that I had made.] It only strengthened our view that the Governments of the three Western Powers continue to adhere to positions which offer no basis for the attainment of an agreement.

What, then, is the present situation? The U.S.S.R., while recognizing existing Western rights in and to Berlin, still puts forward its second-preference plan as unveiled some months ago. It proposes that the Western Powers abandon their present rights in favor of the Soviet plan. This we will not do. We will have no

share in imposing a new status on the West Berliners against their will. Such a new regime would make German unity more difficult to achieve since it would establish still a third part of Germany.

However, we recognize our responsibilities for keeping friction between our two systems to a minimum. We recognize that Berlin, because of its unique situation, can be a source of friction. We are willing to search in good faith with the Soviet Union for some reciprocal improvement in the Berlin situation. However, it should be very clear that any improvement arrangement must meet these criteria: (a) respect for existing Western rights of presence and access to Berlin and existing agreements concerning such rights since the Western presence is essential to maintain West Berlin's freedom; (b) no recognition of the so-called German Democratic Republic; (c) maintenance of West Berlin's political and economic ties with the West.

West Not Fooled by Soviet's "Free City" Label

Should we accept the Soviet's "free city" proposal? We cannot forget that this is not the first time that the Soviet Union has tried to put an end to a really free Berlin. Only 3 years after the war the U.S.S.R. tried to starve the free Berliners into the acceptance of a way of life which the Soviets would dictate. One remembers now that the Soviet's excuse then was that technical difficulties would not permit food or other traffic to flow into Berlin from West Germany. This time a more subtle approach is being attempted; the justification given is quite as transparent—to relax tensions, to remove "dangerous situations," to end occupation which "the events of life passed by."

Our reading of recent history indicates that the proposed "free city" would be but a disguise for gradual smothering of West Berliners' present freedom. In 1948 no one was really fooled by the "technical difficulties" alibi. In 1959 no one is being fooled by the false label "free city."

This is no time to resort to a breach of solemn international agreements under the guise of "relaxation of tensions." If the Soviet Government will exercise the necessary degree of responsibility and recognize the legitimate rights of other nations, the situation in Berlin may develop in a

tolerable fashion. Today the world judges nations by their willingness to stand by their international obligations. The Soviet Government must recognize that Berlin is a solemn testing ground on which its intentions with respect to its international obligations are being watched.

In these troubled times peace with justice is the greatest goal to which man can aspire. I hope that the Soviet Union will be willing to demonstrate, by word and by deed, that it is ready to move toward that great goal.

Some Facts About East Berlin

There is another phase of this same problem on which I wish to touch quite briefly. I had hoped that I would not have to bring up this subject, but it has been made so clear to us that unless it is part of this record there will be an assumption from things that have been said here that West Berlin is a hotbed for all kinds of subversive efforts, whereas the surrounding territory, and, in fact, East Berlin, is completely free from any such intent or operations.

We have been forced to listen here to allegations that the Western Powers are using West Berlin to carry on subversive activity and hostile propaganda against the U.S.S.R., the so-called German Democratic Republic, and other countries.

Now it is strange that the Soviet Foreign Minister should have been so sensitive as to these alleged activities and at the same time should have neglected to mention the highly objectionable activities conducted out of East Berlin. I should therefore like to place a few facts before this conference.

East Berlin is the site of one of the heaviest concentrations of subversive and spying activities in the world. On the part of the so-called German Democratic Republic alone it is reliably estimated that 26,000 officers, directing more than 200,000 agents and informers, are engaged in such activities detrimental to the interests of West Berlin and the Federal Republic, and countries beyond, including Scandinavia. A mass of documentation supports the fact that East Berlin has been systematically abused over many years as a center of subversion, kidnaping, spying, and numerous other hostile activities.

The goal of this centrally directed effort at subversion is the complete overthrow of the existing

constitutional and social order in West Berlin and the Federal Republic.

The recruitment of spies, agents, and informers is done by every possible means, including the threat of reprisals against members of families residing in the so-called German Democratic Republic. The primary objective is, of course, subversion and espionage, including industrial espionage. But this is also part of a massive effort to infiltrate the West Berlin Government and Allied organizations in West Berlin as well as every other major organized activity, such as trade unions, works councils, and youth groups. The very recent revelation of the existence of such a ring of agents directed from East Berlin within the West Berlin and West German Christian Democratic Union Party provides a good illustration of the scope of such activities.

Innumerable acts of force originating in East Berlin have been carried out against people in West Berlin. The most sensational of these have been cases of kidnaping. Our own conservative calculations show there have been at least 63 actual cases, 31 attempted kidnapings, and 21 probable cases since the end of the war. Although drugs were used in a number of instances, most of these kidnapings involved the use of brute force. A report just completed by the Senate of Berlin confirms our figures.

General subversive activities, incitement to sedition, and attacks on public order directed from East Berlin comprehend a vast variety of activities. They are aimed at subverting the existing social, political, and economic order in West Berlin, with seizure of control as their eventual objective.

The East Berlin agents spread lies and rumors and conduct whispering campaigns. They send anonymous letters to wives or husbands to imply that their marriage partners are being unfaithful or to suggest any one of a number of slanderous possibilities. They seek to sow confusion by spreading false and contradictory reports. They try to create terror through threats or false rumors and reports. They make massive attempts to infiltrate organizations in West Berlin.

In this vast effort they employ a great variety of means, including the use of individual operatives, the use of the Socialist Unity Party, which is still permitted to function in West Berlin, and the use of various mass organizations with head-

quarters in East Berlin, such as the Free German Trade Union Organization, the Free German Youth Organization, and the German Culture League.

East Berlin is being misused as the center of an extensive campaign of slanderous personal vilification against the institutions and officials of the Allies and of the German authorities in West Berlin. This involves the frequent use of lies as well as outright forgeries. A good example of this is the current campaign of vilification by press and radio against myself, the Foreign Minister of the Federal Republic, and other leading officials.

The fact that over 500 persons living or working in West Berlin were convicted of treasonable activities in a period from August 30, 1951, to the end of 1958—an average of more than one a week—helps illustrate the scope and purpose of this attempt to subvert the existing order in West Berlin.

East German Subversive Apparatus

The apparatus of the so-called German Democratic Republic engaged in this evil work includes the Ministry for State Security, whose strength is 13,000 men. This is the basic overt and secret internal security arm of the regime. It also engages in clandestine operations against the Federal Republic and West Berlin.

One of its sectors is called Foreign Sector—Intelligence, with a strength of 500. The main mission of this bureau is to recruit espionage agents in the West. Its chief targets are the Federal Republic and West Berlin. Recruited agents are used not only to produce information but also for disruption and political action.

Another sector deals with counterintelligence and has a strength of 12,000 staff members in addition to 40,000 agents. This sector has two primary missions. The first is counterintelligence and counterespionage within East Germany, using an infamous informer system in all segments of society. The second is penetration of Western organizations, such as church organizations, West German parties, and military and governmental offices. This bureau specializes in kidnapings by force or drugs and in coercing relatives residing in East Germany into luring refugees back to East Berlin, where they are arrested.

Then comes the Ministry of Defense's office

entitled Administration for Coordination. This is a cover designation for the military intelligence service. It is responsible for clandestine procurement of intelligence on NATO military forces, especially the Federal Republic. It also uses coercion and corruption to recruit agents, mostly in the West.

The Ministry of Defense has another office, called the Independent Department. This is responsible for the subversion of the West German armed forces. It disseminates subversive propaganda and engages extensively in falsification and harassment operations. One example of this harassment is the sending of forged Federal Republic death notices to mothers of West German soldiers.

The East German mass organizations also play a role in the unceasing effort to subvert West Berlin and the Federal Republic. They include the Free German Trade Union Organization, the Free German Youth Organization, the Democratic Women's Federation, the German-Soviet Friendship Society, and the German Culture League. All have special Western sections whose primary functions are: to infiltrate parallel Federal Republic and West German groups, to recruit sympathizers and dupes, to promote Communist subversive aims through massive written and oral propaganda, and to send so-called "instructors" to the Federal Republic and West Berlin on special assignments for agitation, disruption, and subversion.

The propaganda and agitation activity of *Deutschlandsender*, *Berliner Rundfunk*, *Freiheitsender*, and East German TV has been violent and slanderous. Since this conference began, its output has risen in vituperation and fallen in ordinary decency.

An organ of the so-called German Democratic Republic Council of Ministers generates publications, press conferences, designed to label the Federal Republic as Nazi, militarist, and thirsting for revenge.

All levels of the so-called German Democratic Government, down to townships, are given assignments to organize large-scale writing of propaganda letters to Federal Republic and West Berlin individuals and organizations.

In addition to the state functionaries, at least 8,000 party and mass organization officials are engaged full time in subversive operations

against the Federal Republic and West Berlin. Many thousands more are employed part time.

It is difficult to estimate the amount of money expended on these nefarious activities, but it is conservative to say it totals many scores of millions of dollars. This is money that could well be spent on improving the standard of living of the people of East Germany, which is noticeably below the standard of the people of the Federal Republic.

I have given an all-too-brief description of a situation which is both scandalous and dangerous. It is a sad commentary on the ethics of the men who conduct these activities. Those men comprise the regime of the so-called German Democratic Republic, and that regime is neither German, nor democratic, nor a republic. More important still, it is a revelation of the determination of these men to achieve their objective by any means at hand. And that objective is to bring West Berlin and the Federal Republic under the control of an ideology which teaches that any means is legal and good which serves to impose it on the other peoples.

I sincerely regret having had to make these remarks. We need so much to concentrate on the major issues before us. But the matter on which I have spoken is not unrelated to these major issues, and I would not have raised it here had it not been for the repeated statements with regard to the activities that are being conducted in West Berlin and that are being considered a danger in the present situation.

STATEMENT OF JUNE 10

Press release 416 dated June 11

I have listened with close attention to the statement which the Soviet Minister has just made. It contains an extraordinary proposal.

My surprise is not lessened by the fact that in the private meeting of the four Foreign Ministers yesterday [June 9] Mr. Gromyko outlined to us the main points of his new proposal. I then asked for a copy of the document from which he was reading in the light of its significance. I was told that no document could be made available for study. The Soviet Foreign Minister wanted to unveil his proposal today in a plenary session.

Let me say now categorically that Mr.

Gromyko's proposal is wholly unacceptable to my Government and cannot be taken as a basis for discussion.

It is unacceptable on two grounds.

First, because of its substance: Mr. Gromyko proposes four conditions which the Western Powers must accept in order to maintain any forces in Berlin, even for a limited period.

First, these garrisons must be reduced to what Mr. Gromyko has described as "symbolic" contingents. Their arms are also to be restricted. I might here say that I thought we had all agreed and assumed that 11,000 Allied troops in a community of over 2 million people, surrounded by hostile territory and ringed by nearly 30 East German and Soviet divisions, could only be described as symbolic. Mr. Gromyko has stated on several occasions that they have no military significance. But we are now told they must be drastically reduced.

Secondly, the Soviet Foreign Minister stipulates that all propaganda conducted in West Berlin must be stopped. No distinction is made between legitimate news and comment, on the one hand, and hostile propaganda, on the other. We have no intention of curtailing essential freedom of speech, which is the proud possession of the West Berliners and the envy of all who can read or listen in the Soviet Zone. However, we have made clear that we are prepared, consistent with this freedom, to take part in reciprocal measures to reduce tensions in the Berlin area from this source. We note, moreover, that there is no mention of curtailing the vicious propaganda which emanates from East Berlin.

Third, all organizations in West Berlin engaged in espionage and subversion must be liquidated. I pass over this curious proposal by reminding the Soviet Foreign Minister of the ugly facts and figures contained in my statement of June 5 at this conference on the subject of massive Soviet and East German subversive and terroristic organizations located in or operating through East Berlin. We have indicated, however, our willingness on a reciprocal basis to use our best efforts to discourage activities in the Berlin area which might threaten public order.

Finally the Soviet Foreign Minister calls on the three Western Powers to assume a unilateral obligation not to station atomic or missile facilities in West Berlin. I am at a loss to understand this

condition. Perhaps Mr. Gromyko realized that, if it were not embodied in an otherwise unacceptable package, we could readily agree if it were clearly reciprocal.

It goes without saying that the sum and tone of these conditions are improper for presentation in a serious negotiation between sovereign states.

12-Month Deadline

The second and even more important reason why this proposal is wholly unacceptable is because of its threatening nature. It seeks to establish a limit of 12 months for the continued rightful presence in West Berlin of the United States and its allies, the United Kingdom and France. During that 12-month period an effort would be made to force a confederation of Germany on Soviet terms. Failure of this effort would result in the signature of a separate peace treaty by the Soviet Union with the so-called German Democratic Republic—a treaty which the Soviet Union pretends would extinguish our rights.

Obviously we cannot accept a time limit of 12 months for life expectancy of the rights which we and our allies acquired as a result of the capitulation of Hitler's Germany. They are not rights which were granted us by the Soviets. They are not rights which the Soviets can cancel, assign, or modify. They are rights which we retain and will feel free to exercise so long as Germany is divided and the free people of West Berlin look to us for their protection.

Mr. Gromyko's fundamental point is this attempt to establish a deadline for expiration of our rights in and to Berlin and for the time in which a German peace treaty can be negotiated. And these negotiations must end in the result the U.S.S.R. demands.

This is the same element of duress that was contained in the Soviet note of November 27, 1958, which we and our allies flatly rejected. We did not agree to this conference until that duress had been removed.

What prompts the Soviet Government now to attempt to reinstate a time limit? The U.S.S.R. should know by now that the United States will never negotiate under deadlines, threats, or duress.

I am quite sure that Mr. Gromyko knew this before he made his statement here today. Must we now conclude that he made this statement in

order to interrupt the process of negotiation on which we have been engaged since May 11?

I deeply regret the introduction of such pressure tactics into our negotiations.

Western Desire for Serious Negotiations

We and our French and British allies came to Geneva last month in the desire to negotiate seriously in a genuine effort to resolve major problems. These problems—and at the forefront of them is the division of Germany—have for years created a state of uncertainty in Europe.

This uncertainty was artificially heightened last November by the sudden Soviet creation of a Berlin crisis, with new and serious tensions. Until the Soviets created that crisis 10 years of relative tranquillity had passed—ever since the end of the Soviet blockade of Berlin in 1949.

We came to Geneva hoping to achieve some progress toward the solution—partial if not complete—of these problems. If some progress proved possible, we looked forward to a summit meeting as the next step toward a more secure, peaceful, and just world.

We put forward the Western peace plan to deal with the problem of a divided Germany. We had worked over these proposals long and carefully. They met, we believe, to a substantial degree the objections the Soviets had made to our plans for German reunification put forward in 1955.

The Soviet Foreign Minister rejected the Western peace plan out of hand.

Despite this rejection we have held a series of private meetings which, at the request of the Soviet Foreign Minister, dealt with the problem of Berlin. The first of these talks was held in the aircraft in which we four Foreign Ministers flew back to Geneva from John Foster Dulles' funeral.

During these discussions we made clear to the Soviet Foreign Minister why his "free city" proposal for Berlin was unacceptable. Despite our exposition of our own proposal for a united Berlin, Mr. Gromyko refused seriously to discuss it. In fact Premier Khrushchev said publicly, immediately after our presentation, that "the seven-point plan tabled by Mr. Herter does not contain a single element for negotiation."

Accordingly we proceeded to discuss an interim solution for West Berlin to last until the reunification of Germany. We sought such an interim

solution in good faith within the limits of our respective positions.

In the course of these private meetings the Western Powers expressed their willingness to examine the situation with a view to relieving in reasonable fashion any legitimate worries of the U.S.S.R.

We agreed that the situation of West Berlin is abnormal. So is the situation of Germany. It is abnormal for a city and for a country to remain divided 14 years after the end of the war.

We felt that improvements could be made in the existing situation in Berlin.

We made concrete suggestions.

We expressed a willingness to see what practical arrangements might be made to meet the Soviet Government's expressed desire to relieve itself of certain access responsibilities which it is now obliged to carry out by virtue of certain agreements with the Western Powers.

Until yesterday's meeting we had some slight basis for hoping that we might arrive at a practical agreement which would give satisfaction to the Soviet position without prejudicing our rights and would provide added assurance for the freedom of access for civil and military traffic.

Yesterday, however, in our private meeting Mr. Gromyko without warning shifted the entire basis of our discussion from an interim solution for Berlin pending Germany's reunification to the extraordinary proposal he has just repeated.

Soviet's Refusal To Discuss East Berlin

Before closing, let me record one curious circumstance of our discussion over the past 2 weeks on Berlin. The Soviet Foreign Minister has constantly refused, despite all our efforts, to discuss East Berlin.

Surely Mr. Gromyko remembers the Allied protocol of September 12, 1944, which states that:

Germany, within her frontiers as they were on 31st December, 1937, will, for the purposes of occupation, be divided into three zones, one of which will be allotted to each of the three Powers, and a special Berlin area, which will be under joint occupation by the three Powers.

This protocol was later amended to provide a fourth zone of occupation in Western Germany and fourth sector in West Berlin for France.

As is well known, the Soviet Government has taken certain actions with respect to Eastern Ger-

many and East Berlin—actions which the Western Powers never agreed to or approved. East Berlin the Soviets now refuse to discuss. As a result of their own unilateral action they assert it to be an integral part of the so-called German Democratic Republic. Having purported to dispose unilaterally of their own sector of Berlin, they seek to achieve our removal from the three Western sectors of Berlin. This is consistent with the Soviet Foreign Minister's statement of May 30, 1959:

The fairest approach would be to extend to West Berlin the full sovereignty of the German Democratic Republic.

The latest Soviet proposal appears to have set us back not just to May 11, when this conference opened, but to November 1958, when the Soviet Union fabricated the Berlin crisis and insisted that its terms be accepted by May 27, 1959.

We are unwilling to negotiate under this threat. I hope, therefore, that the Soviet Government will reconsider its position.

I would much prefer to continue these talks, as long as there is any real prospect of progress—either to improve the situation in Berlin or toward an agreed solution for Berlin as a whole. I hope that we will be able to pick up again the parted strands of these negotiations free from any hint of duress.

In this event, I remain ready to join in seeking an agreement consistent with the honor of all of our countries and one which would pave the way for a useful meeting of the Heads of Governments.

STATEMENT OF JUNE 12

Press release 427 dated June 12

Mr. Chairman, at the last session that we held here, I made some remarks in regard to the new proposals which had been advanced by the Soviet delegation and which in appearance contained certain threats which were extremely disquieting, I think, to each of my colleagues and to myself from the expressions that were then given word to at that meeting. Since those proposals were made on Tuesday last [June 9], and again at a session of the full conference here on Wednesday, Mr. Gromyko has advised the press—and, I may say again, advised me in a conference which I held

with him yesterday—that these were not intended, these proposals, to be threats or a menace, as they were described, or a dictate. I think that the record should be entirely clear on that point.

I had selected at the time of my statement certain parts of his proposals for comment, both the substance and the tone of which were clearly threatening with respect to time limits and action which would be taken. Mr. Couve de Murville [Foreign Minister of France] analyzed, I think quite correctly and in considerable detail, the double threat contained therein with the 1-year period with respect to the rights of troops in Berlin and a 1-year period with respect to access to Berlin.

I think it would be very helpful to this conference if Mr. Gromyko would be willing to tell us here what he told me yesterday in private conversation with respect to the intent of these proposals which so clearly, in our minds, were a threat. I think that from the point of view of the continuation of our discussions it is important that that matter be fully clarified, and I feel confident that Mr. Gromyko would be willing to do that in order that we would know exactly where we stand from the point of view of any continuation of our discussions.

Dr. Kirk To Represent U.S. on NATO Studies Committee

The Department of State announced on June 9 (press release 405) the appointment of Dr. Grayson Kirk, president of Columbia University, as U.S. representative on the North Atlantic Studies Committee of NATO.

This Committee, which will hold its initial meeting at Paris on June 11, will have as one major task the selection of candidates under the NATO fellowship program. It will also examine NATO's cultural activities, recommend specific projects in this field to the North Atlantic Council, and take steps to support private initiatives in the field of Atlantic Community studies. The general purpose of the Committee, composed of eminent representatives from the 15 member countries of NATO, is to encourage and guide the growing cultural cooperation of the alliance.

Presidents of European Communities Conclude Official Visit

Walter Hallstein, President of the Commission of the European Economic Community, Etienne Hirsch, President of the Commission of the European Atomic Energy Community, and Paul Finet, President of the High Authority of the European Coal and Steel Community, made an official visit to Washington June 9-12. Following is the text of a joint communique issued on June 12 by the United States, the Commissions, and the High Authority, together with welcoming remarks by Acting Secretary Dillon on June 9 and the responses of the three presidents.

JOINT COMMUNIQUE

Press release 419 dated June 12

1. Dr. Walter Hallstein, President of the Commission of the European Economic Community, M. Etienne Hirsch, President of the Commission of the European Atomic Energy Community, and M. Paul Finet, President of the High Authority of the European Coal and Steel Community, today concluded an official visit to Washington.

2. During their visit, the three executives of the European Communities called jointly on the President, and on the Acting Secretary of State, the Secretary of Commerce and the Secretary of the Treasury. They called individually on the Secretary of Agriculture, the Acting Secretary of the Interior and the Acting Secretary of Labor, and on members of the Atomic Energy Commission. They also met informally with members of the Senate Committee on Foreign Relations, the House Committee on Foreign Affairs, the House Ways and Means Committee and the Joint Congressional Committee on Atomic Energy. Discussions during the past several days reflected the close identity of view which prevails between the United States and the European Communities on matters of common concern.

3. Dr. Hallstein, M. Hirsch and M. Finet on behalf of the European Communities took this occasion to express to the President their appreciation and gratitude for the consistent support and sympathetic interest the United States has always shown toward the European integration

movement. The President stated that the United States continues to support the objectives of the European Communities because of the significant promise they hold for enhancing the strength and well-being not only of Europe but of the entire Free World.

4. The three Presidents reviewed with the Acting Secretary of State and other interested United States officials the substantial progress made thus far in the movement toward economic integration and closer unity among the six Member States, Belgium, the Federal Republic of Germany, France, Italy, Luxembourg, and the Netherlands. They expressed the determination of the European Communities to continue to strive for that goal in close association with the other nations and institutions of free Europe and of the Atlantic Community. They further referred to the vital importance of cooperative relations between the industrially-developed nations and the less-developed areas in Africa and elsewhere, and expressed the hope that increasingly the European Community will participate in assistance to these areas. The Acting Secretary of State welcomed these statements. He pointed to the widespread interest in this country in the efforts of the Communities to bring about European unity, to build a great, single market among the six Member States and to contribute to international trade and development. He noted with satisfaction the close relations which have been established between the United States and the European Communities.

5. The three Presidents emphasized the resolution of the European Communities to help bring about social, economic, and scientific progress in the Member States, and to work jointly with other nations for the creation of a liberal, multi-lateral world trading system, based on the principles embodied in the Articles of Agreement of the International Monetary Fund and the General Agreement on Tariffs and Trade. In this connection, the Acting Secretary of State and Dr. Hallstein welcomed the recent decision of the Contracting Parties to the General Agreement to accept the United States proposal for new reciprocal tariff negotiations to begin in 1960.¹ Both sides were agreed on the importance of the forthcoming tariff negotiations as part of the con-

¹ BULLETIN of June 22, 1959, p. 917.

tinuing movement for freer world trade and on the necessity to exert every effort through these negotiations to bring about a further general lowering of trade barriers. The Acting Secretary of State reaffirmed the continuing interest of the United States in further progress toward the elimination of discriminatory trade restrictions on the part of European countries.

6. The Presidents pointed to the joint U.S.-EURATOM nuclear power program² as an example of the close collaboration between two of the major scientific and technical communities of the world for the benefit not only of these areas immediately concerned but also for the areas of the world which lack the resources to mount such programs. M. Hirsch reported on the status of this program. He was assured by the United States Government of its continued support and cooperation with a view to insuring the success of this important program for peaceful development of nuclear resources.

7. M. Finet reviewed the development of the European Coal and Steel Community including the present coal situation and noted that the outlook for the immediate future was a continued surplus of European coal. United States representatives expressed concern that certain Community countries had adopted restrictive import measures adversely affecting United States coal exports and urged early removal of these restrictions. M. Finet assured United States representatives that the High Authority is pressing for the removal of restrictions as soon as circumstances permit.

8. The Presidents and the Acting Secretary of State explored the question of establishment in the United States of permanent representation by the European Communities, on a basis comparable to the United States Mission to the European Communities, and the view was expressed that this would facilitate relations between the two parties and would be mutually advantageous. The Acting Secretary of State noted that certain administrative and legislative actions would be necessary on the United States side to enable establishment of such representation should the Communities decide to propose it.

² For text of agreement, see *ibid.*, Jan. 12, 1959, p. 69; for a statement by Mr. Dillon, see *ibid.*, Feb. 16, 1959, p. 247.

WELCOMING REMARKS

Press release 408 dated June 9

Acting Secretary Dillon

Gentlemen, it is a great pleasure and honor for me here today to welcome you to Washington in the name of the United States Government and of the whole American people. Secretary of State Herter asked me to express to you his regrets that he has been detained in Geneva and is not able to be here himself on this memorable occasion.

I wish you a very pleasant and happy stay in our capital city here, and I am sure that, as you travel around this country and as you visit here, in your talks with our Government officials and in your talks with representatives of business, of labor, of finance, and indeed of all the people in this country that you see, you will find a great interest in the work which you are doing, the memorable work to unify the European countries and also in the great promise of economic advancement and of scientific achievement that lies at the heart of this movement of the European Communities.

We have had the pleasure of welcoming here in Washington in the past the last two Presidents of the European High Authority for Coal and Steel. It is a great pleasure at this time to welcome for the first time in Washington the Presidents of the Commissions of the European Economic Authority and of the European Atomic Energy Authority. And also to welcome here for the first time the present President of the High Authority. The fact that all three of the Presidents of these Communities, which together make up the overall European Communities, are visiting here at one time is of very special significance and lends a special significance to this occasion. I wish you once more a very hearty welcome.

M. Hallstein

Mr. Secretary, may I thank you very heartily for the friendly words of welcome you have expressed to us and for the kind invitation which the American Government has extended to us and to which we attach great importance.

The words "hands across the sea" yesterday meant the extremely generous helping hand that America gave in order to set Europe on its feet again after the terrific destruction of the last war.

The words may mean tomorrow and will mean tomorrow, as we help, a hand clasp, a hand shake, for what we are doing in Europe in order to bring about this great economic unit and a unit which will be followed by an ever greater political unity—a unity which, while not equal to conditions of economic and political life here, is comparable to them. We are not doing it merely in the selfish interests of the members of our European community. We are well aware that varied opportunities and growing power mean growing responsibility, and we are willing to take our share in the responsibility for the solution of the great problems that lie ahead of all of us. In this spirit we want to cooperate with all people of good will and primarily with your great country. We are sure of one thing: If we establish a cooperation firmly, permanently, and honestly, we shall not fail.

M. Hirsch

Mr. Secretary, we are very grateful for the official invitation of the American Government because it gives us the opportunity of explaining to the administration and also to the American people that great progress is being achieved in the process of unification of Europe. Our six countries together total the equivalent population of that of the United States. That means that we are embarked on a very important venture. We are very grateful to the American people, to its Government, for the support it gives not only to the idea of a unified Europe but also to the problems that we have to solve.

M. Finet

Mr. Secretary, it is always a great pleasure for a representative of the European Coal and Steel Community to visit Washington because of the many good friends we find here. I am the third President of the High Authority to come here. My predecessors, Jean Monnet and René Mayer, have both been guests of your Government during the past 7 years since the founding of the Community and have met here with sympathetic and understanding support after World War II to bring about one united Europe. Today the

Coal and Steel Community no longer stands alone. Along with two of its sister organizations, the Economic Community and the Atomic Energy Community, we know our efforts this past year have borne fruit. Therefore it is a particular pleasure for me to visit once again your great country, this time in the company of my distinguished colleagues, Presidents Hallstein and Hirsch. Together we represent not the old Europe in individual nation states but the new Europe that is coming into existence—a Europe in which we are all Europeans rather than Germans, Frenchmen, or Belgians. And on behalf of the Coal and Steel Community may I say that I am convinced that our visit here will be most fruitful and rewarding.

Queen Elizabeth To Visit Chicago

The Department of State announced on June 10 (press release 410) that Her Majesty Queen Elizabeth II and His Royal Highness the Prince Philip, Duke of Edinburgh, will arrive at Chicago, Ill., on July 6 aboard the royal yacht *Britannia*, accompanied by John G. Diefenbaker, Prime Minister of Canada, and Mrs. Diefenbaker.

The Queen and her party will be received with full military honors. They will be entertained at luncheon by Gov. and Mrs. William G. Stratton of Illinois, and during the day they will visit the International Trade Fair, the Museum of Science and Industry, and the Chicago Art Institute. Following a dinner given by Mayor and Mrs. Richard J. Daley of Chicago, the party will reboard the royal yacht.

Letters of Credence

Iraq

The newly appointed Ambassador of Iraq, Ali Haider Sulaiman, presented his credentials to President Eisenhower on June 11. For texts of the Ambassador's remarks and the President's reply, see Department of State press release 415 dated June 11.

The Challenge of Economic Growth in the Free World

by Acting Secretary Dillon¹

On this same occasion 12 years ago a great initiative was launched, looking to the reconstruction of a Western Europe struggling to rise from the ashes of war and menaced by the corrosive tide of Communist imperialism. That initiative fired the imagination of the peoples of America and Europe and inspired them to an effort of a kind never before seen in all history. The energies and resources of hundreds of millions of free men were mobilized in the task of peaceful reconstruction.

The Marshall plan is now history. To it we most certainly owe the present strength and possibly even the continued existence of the free world.

Today we are engaged in another great initiative, looking to the growth and progress of vast underdeveloped areas of the free world in Asia, Africa, the Middle East, and Latin America. The success or failure of this effort will decisively shape the future of this earth for centuries to come.

Its fulfillment will require the dedication of greater energies and resources—and over a far longer span of time—than did the reconstruction of Western Europe. For its objective is not just the restoration of a devastated area to a previous state of progress but the shining goal of helping a billion human beings to throw off their age-old bonds of poverty and ignorance.

The attainment of this goal is essential to our survival. We cannot hope to maintain our way of life surrounded by a sea of misery. The less privileged peoples are reaching out for economic growth with almost desperate determination. We

must help them find the way in peace and freedom.

The main burden of work and sacrifice will, of course, fall on the less developed countries themselves, just as it fell on Western Europe in the case of the European recovery program. They must accept the major responsibility for their own progress. But they cannot make a real start toward progress without our assistance.

Mutual Security Program

We are responding to their needs in many ways. Our major instrument is, of course, the mutual security program. Financial assistance is an important element of this program, but it is only a part of our response. For the process of growth is essentially one of altering human attitudes and improving human skills. Human beings are the basic resources of development, and it is the fulfillment of their infinitely varied potentialities which must be the major goal of development. That is why we place such emphasis on our programs of technical cooperation and on efforts to improve levels of health and education in the underdeveloped world.

At the same time that we are working with the less developed nations to help improve their human resources, we are also assisting them to meet some of their most pressing financial needs. We have varied instruments for this purpose:

Where development is just commencing or where countries have to support relatively large military establishments to maintain their security, we must, of necessity, provide assistance in the form of grants.

For nations in a somewhat more advanced stage of economic development, our primary emphasis

¹ Address made before the Harvard University Alumni Association at Cambridge, Mass., on June 11 (press release 409 dated June 10).

is on loans, often repayable in local currencies, through our new Development Loan Fund.

We are also making every effort to expand the flow of private American investment to the less developed countries, since with it goes urgently required managerial and productive skills.

This effort to help provide skills and resources is no longer just an American enterprise. It has become a cooperative venture in which we are being joined with increasing vigor by more and more of the industrialized nations of the free world. We should remember that it is largely due to the Marshall plan that most of these countries have recovered the ability to join us in aiding the less developed countries. In addition to their participation in the effective work of the World Bank and the International Monetary Fund, England, Germany, France, Italy, Japan, and Canada last year made further contributions to development through either grants or loans.

Nevertheless, as the wealthiest and most industrialized country in the world today, the United States remains the principal single free-world source for the foreign capital which the less developed countries must have to supplement their own efforts. We must continue to take the lead.

We must do this not simply as a countermove to communism nor as an exercise in charity but in the same spirit in which the Marshall plan was launched—as a cooperative endeavor based on mutual respect and interdependence. Our primary aim must not be to achieve short-term political gains or expressions of gratitude. It must be to help the less developed peoples strengthen their well-being and, thereby, their freedom and independence.

I have so far refrained from discussing the efforts of the Sino-Soviet bloc to penetrate and capture the less developed countries with trade and aid as part of its overall drive for Communist world domination. I have done so because our foreign aid programs would exist even if Lenin had never been born. For in today's shrinking world it is imperative that ways be found, first, to halt and, then, to narrow the still-growing gap between our standards of living and those of the great masses of humanity in Asia, Africa, the Middle East, and Latin America. Such a task is deeply rooted in the traditions of humanitarianism that have always motivated Americans.

Factors Influencing the Developing Countries

However, the growing economic power of the Soviet bloc is a force to be reckoned with in today's divided world. Let us look briefly at that world:

On one side we have the nations of the free world which have already achieved economic growth—not only the strongly industrialized countries of Europe and North America but also Japan, Australia, and New Zealand.

On the other side we have the Communist empire, including Russia's Eastern European satellites and Communist China and its satellites. This bloc is led by the Soviet Union, which has made remarkable economic progress in recent years.

In between lies the great underdeveloped sector of the free world, which the Communists have openly identified as the major target in their strategy of conquest. If these countries find that they cannot achieve progress in freedom, as they would prefer, they will surely be tempted to try an alternative route to their goal. And today international communism loudly proclaims just such an alternative route.

I am convinced that the events of the next 20 to 30 years will determine the state of the world for centuries ahead. I believe that the biggest single deciding factor will be the path taken by the peoples of the less developed world in their impatient efforts to achieve social and material progress.

Over the coming years the newly emerging peoples will be heavily influenced by three factors:

First, the power of example: If international communism is successful in projecting an image of the Soviet system as the magic blueprint for achieving rapid progress, it will have a powerful influence on men who are desperately seeking to lead their peoples into the 20th century.

It is undeniable that the Soviet economy today is developing faster than that of the United States. Soviet annual growth in industrial production in recent years has been about 7 to 9 percent, as compared to the long-term average of a little more than 4 percent in the United States. Soviet industrial production is now in the neighborhood of 40 percent of our own. If Soviet and American industrial production continues to expand at the average rates of recent years, by 1970

the Soviet Union's industrial output may be more than three-fifths of our own. This is certainly much less than Soviet Premier Khrushchev's boast of advancing to first place by 1970 in both absolute and per capita industrial production. However, it should be obvious that, if these trends continue, the Soviet Union will draw abreast of the United States in industrial production in the mid-1980's. Faced with this prospect, it is imperative that the United States find ways of accelerating its own economic growth while always maintaining the stability of our currency. The 5 percent annual increase recommended as a goal in recent studies would seem to be an absolute minimum.

By accelerating our domestic growth we will deflate the Soviet line that communism represents the "wave of the future." We will demonstrate to the peoples of the newly developing nations that their aspirations can best be met in a free society. And, most important of all, we will create the climate and capacity at home which will permit us to continue the long-term effort needed abroad.

The second factor which will influence the newly developing peoples is trade. The Soviet bloc has recently made substantial trade overtures to these nations. But Soviet trade can be, and is, turned on and off at will for political purposes. Once a country becomes dependent upon the Soviet Union for a large share of its trade, the Soviets do not hesitate to use this dependence as a means of blackmail and pressure.

The dangers for the underdeveloped nations are obvious. But trade they must. It is up to us to provide an increasingly attractive alternative. We must continue to take a leading part in reducing barriers to world trade. We must keep our markets open to peoples who are struggling to improve their lot, and we must strive to find workable answers to the problems they face as a result of price fluctuations in their raw material exports.

The third factor influencing the developing countries is financial and technical aid. I have already outlined our own program. Mindful of our success, the Soviet Union 5 years ago launched its own aid drive as part of a general campaign to establish the Soviet "presence" in the newly emerging areas. As with Soviet trade,

so with Soviet aid: Once a country begins to lean heavily on the Soviet Union for its development needs, political strings become very apparent and that country's independence is in jeopardy.

Measuring Up to the Challenge

This, then, is the challenge. Are we, the peoples of the economically advanced free nations, going to persevere in our efforts to help the 1 billion people in the free world's less developed areas place themselves firmly on the road to progress? Or are we going to be found wanting in this supreme test of our free and democratic way of life? If we do not measure up to the challenge, if through unwise or inadequate actions on our part we allow the newly emerging nations to be dragged one by one into the Communist orbit, then, as surely as night follows day, our own freedom cannot long endure.

This is a challenge of stamina and perseverance. It entails a coordinated, persistent effort over the next 20, 30, or perhaps even 50 years. We have never in our peacetime history faced anything to compare with it. If we succeed and these peoples choose irrevocably the path of freedom, then indeed the future will be bright. For their example will be irresistible, and international communism as we know it today will become a mere nightmare before the dawn of universal freedom.

I believe that Americans can rise to the challenge. They are at their best in responding to such an opportunity. For it provides that "remote and ideal object which captivates the imagination by its splendor and the reason by its simplicity," of which Lord Acton spoke and which, as that British historian said so eloquently, evokes an energy that is not inspired by lesser and more proximate goals.

But, if we are to stay the course, there must be much greater and deeper knowledge of world events among our citizenry. Unfortunately such widespread knowledge of world affairs is lacking in our country today. This is why many of our people do not fully comprehend the crucial importance of our foreign aid program to our future.

Let me urge each and every one of today's graduates to study and to travel. You must *work* to keep up your knowledge of world affairs. You *must not, cannot*, permit yourselves to become

buried in the local scene. Our country looks to college graduates for leadership. The promotion of a better understanding of foreign affairs is a field where you can exercise leadership no matter what your occupation.

The task of preserving freedom through perseverance has been laid upon my generation and, to an even larger extent, upon your generation. We must meet this task or foreclose our country's future. We cannot simply pass along the assignment to our successors. It will not wait.

We must see the task before us in its historic perspective. We must not permit ourselves to be diverted from it by our involvement in the day-to-day problems of life in a complex world. America owes what it is today to our profound and enduring faith in freedom, justice, and equality of opportunity for all men, everywhere. This is the American message and promise. We must never allow ourselves to forget it.

U.S. Informs Cuba of Views on Agrarian Reform Law

Press release 417 dated June 11

The Department of State instructed the American Ambassador at Habana, Philip W. Bonsal, to deliver to the Cuban Minister of State, Roberto Agramonte, on June 11 a note stating certain views of the U.S. Government on the Cuban Agrarian Reform Law. The substance of the note is as follows.

I have the honor to refer to the Cuban Agrarian Reform Law, the text of which was published in the extraordinary special edition of the *Official Gazette* of June 3. This law, which is now being given detailed study by my Government, deals with matters of deep and legitimate interest to the United States consumers of Cuban products and to United States investors in Cuba.

Preliminary published drafts of this legislation have already given rise to such exchanges of views as those held in Washington on May 27 between Ambassador Dihigo and Assistant Secretary Rubottom and on June 1 between Your Excellency and the undersigned. As stated by the representatives of the United States in both these conversations, the Government of the United States understands and is sympathetic to the ob-

jectives which the Government of Cuba is presumed to be seeking to attain through this law. Various United States programs of technical cooperation and assistance in the agricultural field undertaken with other countries of this hemisphere and elsewhere have aimed at the same goal of encouraging greater agricultural production, new crops, and crop diversification so as to raise the standard of living of the inhabitants of rural areas and thereby contribute to the overall economic growth of those countries. The Government of the United States recognizes that soundly conceived and executed programs for rural betterment, including land reform in certain areas, can contribute to a higher standard of living, political stability, and social progress. In various international bodies over the past years my Government's position on this subject has been consistent and unequivocal.

At the same time it is evident that a widespread redistribution of land in a manner which might have serious adverse effects on productivity could prove harmful to the general economy and tend to discourage desirable private and public investment in both agriculture and industry. From the viewpoint of the interests of consumers in the United States of Cuban products and of private United States investors, present and prospective, in Cuba, it is the confident hope of the Government of the United States that agrarian reform in Cuba will be so carried out as not to impair or reduce but rather to increase the productivity of the Cuban economy.

The United States recognizes that under international law a state has the right to take property within its jurisdiction for public purposes in the absence of treaty provisions or other agreement to the contrary; however, this right is coupled with the corresponding obligation on the part of a state that such taking will be accompanied by payment of prompt, adequate, and effective compensation. United States citizens have invested in agricultural and other enterprises in Cuba for many years. This investment has been made under several Cuban Constitutions, all of which contained provisions for due compensation in case of expropriation, including the Cuban Constitution of 1940 which provided that should property be expropriated by the state there must be prior payment of the proper indemnification in cash, in the amount judicially determined.

The wording of the Cuban agrarian law gives serious concern to the Government of the United States with regard to the adequacy of the provision for compensation to its citizens whose property may be expropriated. In view of the many occasions in the past in which consultation on problems affecting both countries has proved mutually beneficial I regret that to date the Government of Cuba has found no opportunity to hear the views of those United States investors in Cuba whose interest would appear to be adversely affected.

Many of these United States interests have been a part of the Cuban economy over a long period of time. They have contributed to the progress and expansion of that economy. So far as the Department of State is aware they have complied with their obligations under Cuban law. It is respectfully suggested to Your Excellency that they are entitled to considerate treatment because they are actually and potentially constructive factors in the expanding Cuban economy which, it is understood, Your Excellency's Government seeks to achieve.

Because of the traditional friendly relations and close economic ties between our two countries, Your Excellency will, I am sure, appreciate and understand the hope of the United States Government that it may be possible to hold further exchanges of views from time to time as required on the effects of the Agrarian Reform Law on matters which are of deep mutual concern to our two Governments.

United States Replies to Cuban Sugar Offer

Press release 413 dated June 10

The Department of State instructed the American Embassy at Habana to deliver to the Cuban Government on June 10 a note in reply to a cable sent to Secretary of Agriculture Ezra T. Benson by the Prime Minister of Cuba, Dr. Fidel Castro, in which the latter offered to sell to the United States 8 million tons of sugar in 1961 at 4 cents a pound. The substance of the note is as follows.

The procurement of sugar for consumption in the United States is made through private trade channels, and not through governmental agencies,

under quotas established pursuant to the Sugar Act of 1948 as amended. We do not know whether private enterprises would be interested in entering into purchase contracts that far in advance for sugar not yet produced.

There is no reason for assuming that the United States will need as much as 8 million tons of sugar from Cuba in 1961. Current total requirements of our country are estimated at 9,200,000 short tons, raw value. Of this, 4,912,000 tons are to be supplied by domestic areas, 980,000 by the Republic of the Philippines and 248,000 tons by full duty countries. The current quota from Cuba amounts to approximately 3,060,000 tons. Our consumption appears to be increasing at a rate of about 150,000 tons per year.

Although the present sugar legislation extends only through 1960, the Executive Branch of this Government could certainly not make any recommendation to the United States Congress that it enact new legislation that would either destroy the domestic sugar producing industry or prohibit imports from foreign countries other than Cuba.

Economic Discussions Between the United States and Poland

Press release 412 dated June 10

DEPARTMENT ANNOUNCEMENT

Representatives of the Governments of the United States and Poland on June 10 entered into credit and sales arrangements providing for the shipment to Poland of surplus agricultural commodities and poliomyelitis vaccine. These arrangements will assist the Polish Government to meet immediate requirements for certain essential agricultural products. They will also permit orders to be placed now for deliveries of poliomyelitis vaccine to meet requirements this fall. Discussions will continue with respect to the request of the Polish Government for additional purchases of agricultural commodities, other raw materials, and agricultural and industrial machinery and equipment in the United States under credit or local-currency sales arrangements.

An amount of \$44 million is provided for in an agreement for the sale to Poland of surplus agri-

cultural commodities for local currency (Polish zlotys) pursuant to the Agricultural Trade Development and Assistance Act, as amended (Public Law 480). In addition an amount of \$6 million will be extended to Poland in the form of a line of credit, to be administered by the Export-Import Bank of Washington.

Under the terms of Public Law 480 the United States will sell to Poland for local currency wheat, animal feed grains, cotton, vegetable oils, and nonfat dry milk pursuant to an agreement entered into between the two Governments. The export market value of the commodities provided for under this agreement, together with transportation costs for products moved in U.S. flag vessels, is \$44 million.

The U.S. Government will extend to the Polish Government a line of credit of \$6 million, to be administered by the Export-Import Bank of Washington, for the purchase of poliomyelitis vaccine and for the payment of ocean transportation costs of the agricultural commodities. The credit will be repayable in dollars at 4½ percent. The principal amount of the credit will be amortized over a period of 20 years, beginning in 1964.

The agreement under the Agricultural Trade Development and Assistance Act, together with the Export-Import Bank credit of \$6 million, will enable Poland to make the following purchases in the United States:

Commodity Description	Quantity (approximate) (metric tons)	Export market value (approximate) (million dollars)
<i>Surplus Agricultural Commodities Agreement (Public Law 480)</i>		
Wheat	200,000	14.1
Barley	200,000	11.0
Corn and/or grain sorghums	11,500	.6
Cotton	170,500	8.8
Soybean oil and/or cottonseed oil	15,000	4.7
Nonfat dry milk	5,000	.8
Estimated cost of ocean transportation		4.0
		44.0
<i>Export-Import Bank Credit</i>		
Poliomyelitis vaccine		2.0
Estimated cost of ocean transportation		4.0
		6.0

¹ Bales.

TEXT OF AGREEMENT

Surplus Agricultural Commodities Agreement Between the United States of America and the Polish People's Republic

The Government of the United States of America and the Government of the Polish People's Republic,

Recognizing the desirability of expanding trade in agricultural commodities between their two countries in a manner which would not displace usual marketings of the United States of these commodities or unduly disrupt world prices of agricultural commodities;

Considering that the sale for zlotys of agricultural commodities produced in the United States will assist in achieving such an expansion of trade;

Desiring to set forth the understandings which will govern the sales of agricultural commodities by the Government of the United States of America pursuant to Title I of the Agricultural Trade Development and Assistance Act of 1954, as amended, and the measures which the two Governments will take individually and collectively in furthering the expansion of trade in such commodities;

Have agreed as follows:

ARTICLE I

Sales for Local Currency

Subject to the issuance by the Government of the United States of America and acceptance by the Government of the Polish People's Republic of purchase authorizations, the Government of the United States of America undertakes to finance the sale to purchasers authorized by the Government of the Polish People's Republic of the following agricultural commodities pursuant to Title I of the Agricultural Trade Development and Assistance Act of 1954, as amended,

Commodity	Value (million dollars)
Wheat	\$14.1
Barley	11.0
Corn and/or grain sorghums6
Cotton	8.8
Soybean oil and/or cottonseed oil	4.7
Nonfat dry milk8
Ocean transportation	4.0
Total	\$44.0

Purchase authorizations will be issued not later than 90 calendar days after the effective date of this Agreement. They will include provisions related to the procurement and delivery of commodities, the time and circumstances of the deposit of the zlotys accruing from such sale, and other relevant matters.

ARTICLE II

Uses of Zlotys

1. The two Governments agree that the zlotys accruing to the Government of the United States of America as a consequence of the sales made pursuant to this Agreement will be used by the Government of the United

States of America, in accordance with Section 104 of the Agricultural Trade Development and Assistance Act of 1954, as amended, to help develop new markets for United States agricultural commodities under subsection (a) thereof; to finance the purchase of goods or services for other countries under subsection (d) thereof; to pay United States obligations under subsection (f) thereof; to finance educational exchange activities under subsection (h) thereof; to finance the translation, publication and distribution of books and periodicals under subsection (i) thereof; and for other expenditures by the Government of the United States of America under subsections (k), (l), (m), and (n) thereof. Uses under subsections (k), (l), (m), and (n) shall be subject to legislative action by the Congress of the United States of America.

2. The zlotys accruing under this Agreement shall be expended by the Government of the United States of America, for the purposes stated in paragraph 1 of this Article, in such manner and order of priority as the Government of the United States of America shall determine. It is understood that, with respect to the purchase of goods or services for other countries, the types, quantities and prices will be subject to negotiation between the two Governments.

ARTICLE III

Deposit of Zlotys

1. The amount of zlotys to be deposited to the account of the Government of the United States of America shall be the dollar sales value of the commodities reimbursed or financed by the Government of the United States of America converted into zlotys at the highest of any rate of exchange (i.e., the largest number of zlotys per U.S. dollar) established by the Government of the Polish People's Republic or any agency thereof, prevailing on the dates of dollar disbursements by the Government of the United States of America. Such dollar sales value shall include ocean freight and handling reimbursed or financed by the Government of the United States of America under this Agreement except that it shall not include any extra cost of ocean freight resulting from a United States requirement that the commodities be transported on United States flag vessels.

2. The two Governments agree that the following procedure shall apply with respect to the zlotys deposited to the account of the Government of the United States of America under this Agreement.

(a) On the date of the deposit of such zlotys to the account of the United States they shall, at the same rate of exchange at which they were deposited, be converted and transferred to a special dollar denominated account to the credit of the United States Government in the National Bank of Poland.

(b) Withdrawals in zlotys from such special dollar denominated account by the United States for uses referred to in Article II of this Agreement other than the purchase of goods or services for other countries shall be paid by the National Bank of Poland at the highest of any rate of exchange (i.e., the largest number of zlotys per U.S. dollar) established by the Government of the

Polish People's Republic or any agency thereof, prevailing on the date of the withdrawal, provided that if such rate is more appreciated than the rate at which zlotys were deposited under paragraph 1 of this Article, the rate in paragraph 1 shall apply.

(c) Payment for purchases of goods or services for other countries referred to in Article II of this Agreement shall be made by reducing the balance in the dollar denominated account by an amount equal to the dollar prices of such purchases agreed upon by the two Governments.

(d) If any unused balance remains in such special dollar denominated account on and after June 1, 1964, the Government of the Polish People's Republic agrees that if the United States Government shall so elect, the National Bank of Poland will sell to the Government of the United States the sum of \$1,600,000 in dollar exchange annually, beginning on June 1, 1964, and on each succeeding June 1, such dollar exchange to be paid for by reducing the balance in the dollar denominated account by the same amount.

ARTICLE IV

General Undertakings

1. The Government of the Polish People's Republic agrees that it will take all possible measures to prevent the resale or transshipment to other countries, or the use for other than domestic purposes (except where such resale, transshipment or use is specifically approved by the Government of the United States of America), of the surplus agricultural commodities purchased pursuant to the provisions of this Agreement, and to assure that the purchase of such commodities does not result in increased availability of these or like commodities for export to other countries.

2. The two Governments agree that they will take reasonable precaution to assure that sales or purchases of surplus agricultural commodities pursuant to this Agreement will not unduly disrupt world prices of agricultural commodities or displace usual marketings of the United States of America in these commodities.

ARTICLE V

Consultation

The two Governments will, upon the request of either of them, consult regarding any matter relating to the application of this Agreement or to the operation of arrangements carried out pursuant to this Agreement.

ARTICLE VI

Entry into Force

This Agreement shall enter into force upon signature.

IN WITNESS WHEREOF, the respective representatives, duly authorized for the purpose, have signed the present Agreement.

DONE in duplicate at Washington in the English and Polish languages this tenth day of June, 1959.

For the Government of the United States of America:

W. T. M. BEALE

For the Government of the Polish People's Republic:

TADEUSZ LYCHOWSKI

Austria Establishes Fund To Settle War Claims of Political Persecutees

Press release 587 dated June 3

The Governments of Austria and the United States exchanged notes on May 30¹ regarding the establishment by Austria of the Fund for the Settlement of Certain Property Losses of Political Persecutees (*Fond zur Abgeltung gewisser Vermoögensverluste politisch Verfolgter*). The fund will have a capital in the equivalent amount of \$6 million for the settlement of claims of persons who were subject to racial, religious, or political persecution in Austria from March 13, 1938, to May 8, 1945, and whose bank accounts, securities, mortgages, or money were the subject of forced transfers or were confiscated by Nazi authorities. The fund will also settle claims of persecutees as defined above for their payments of the discriminatory taxes known as *Reichsfluchtsteuer* and *Suchneleistung der Juden (JUVA)*. The Austrian Government will appropriate an additional amount of approximately \$600,000 to pay the administrative expenses of the fund. The fund will be exempt from Austrian taxes, and payments from the fund will not constitute income on which the recipients are liable for Austrian taxes.

All persecutees who sustained losses in the above-enumerated categories are entitled to file claims regardless of their present residence. Claim forms will be available at the Austrian Embassy, 2343 Massachusetts Ave. NW., Washington, D.C., or at the nearest Austrian consulate after the enactment of Austrian legislation implementing the agreement. Austrian consulates are located at New York, Chicago, Detroit, Portland, Oregon, San Francisco, Los Angeles, Dallas, Miami, Atlanta, and Cleveland, and inquiries for further information should be directed to Austrian representatives.

Pension and Insurance Policy Claims

Claimants who were subject to racial, religious, or political persecution in Austria from March 13, 1938, to May 8, 1945, and whose pension rights or insurance policies were confiscated in Austria are reminded of the method of filing claims referred to in the Department's press release

¹ Not printed.

568 of September 29, 1958.² The deadline for the filing of insurance policy claims is June 30, 1959.

Certain Agricultural Property

The Austrian Government has agreed to submit legislation to the Austrian Parliament which will provide adequate compensation within the meaning of section 23, paragraph 3, of the Third Austrian Restitution Law to those claimants under that section of the law who have not accepted other settlements of their claims for certain agricultural property and who were subject to racial, religious, or political persecution in Austria from March 13, 1938, to May 8, 1945.

Compensation for Confiscated Furniture and Certain Other Personal Property

The Austrian Government has enacted an amendment (Austrian Federal Law 99 of March 18, 1959) to the War and Persecution Property Damage Law (Austrian Federal Law 127 of 1958), which was referred to in Department of State press release 568 of September 29, 1958. The amendment in effect increases the amounts which are to be awarded to certain claimants residing abroad for confiscated furniture and certain other personal property. Official forms for the filing of claims under the basic law, which were to have been available in 1958 at the Austrian Embassy at Washington and at Austrian consulates in the United States, were not distributed pending the enactment of the 1959 amendment. The deadline for the filing of claims has been extended from June 30, 1959, to December 31, 1959. Copies of these official forms, which must accompany claims, are now available at the Austrian Embassy or at Austrian consulates. The forms contain detailed information and instructions concerning the filing of claims under the provisions of the War and Persecution Property Damage Law, and inquiries for further information should be directed to Austrian representatives.

Extension of the Time Limits for Filing of Claims for Restitution of Heirless or Unclaimed Expropriated Property

The Austrian Government has agreed to enact legislation which will extend the time limit for

² BULLETIN of Oct. 20, 1958, p. 619.

claimants who were subject to racial, religious, or political persecution in Austria from March 13, 1938, to May 8, 1945, and who failed to file a restitution claim within the time limits provided in Austrian restitution laws for the restitution of property, legal rights, and interests which are now considered in Austria to be heirless or unclaimed expropriated property. These claimants will then be able to obtain satisfaction of their claims, as provided for in Austrian restitution laws, providing such claims are filed within 3 months after receipt by a claimant of a request to file a claim or

in other cases within 1 year after the enactment of the pertinent Austrian legislation.

The Department of State is not in a position to be of assistance in preparation or filing of individual claims. Such claims are a private matter between the claimant and the Government of Austria and must be the responsibility of the claimant. Accordingly, any inquiries regarding specific cases should be addressed to the competent Austrian offices referred to above.

Measurement of the U.S. Territorial Sea

by G. Etzel Percy
The Geographer

The territorial sea of any state is an offshore zone measured from the coast. Over it sovereignty of the state is complete, although ships of other states are normally accorded the right of innocent passage. The United States traditionally recognizes a zone of 3 nautical miles in breadth, giving it a territorial sea slightly larger than the combined areas of Massachusetts, Connecticut, Rhode Island, and New Jersey.¹

The actual area is of no great significance. In fact, a small territorial sea supports the freedom-of-the-seas concept by limiting the extent of offshore sovereignty. On the other hand, definite knowledge as to whether any given offshore point lies in or beyond the territorial sea may be of the utmost consequence to the United States, as in the case of unwarranted action on the part of a ship flying a flag of another state. A mile, or even a few yards, may mean the difference between a routine maritime operation and an unfortunate incident.

In the same vein, fishing rights within the territorial sea are restricted to the coastal state,

whereas beyond it the general principle of freedom of fishing appertains. There is mounting interest on the part of certain states for the establishment of a zone beyond and contiguous to the territorial sea in which the coastal state would have exclusive fishing rights. International acceptance of such a concept, or some variation on it, depends upon action at a future law-of-the-sea conference.

In order to have the territorial sea charted as exactly 3 miles in breadth at any point along the coast, the following rule must be observed: Every point on the outer limit of the territorial sea must be plotted precisely 3 nautical miles from the nearest point on the coast along which it is measured. Such a rule not only provides a sound base for delineating a geometrically perfect territorial sea but has practical application as well. For example, it fulfills the requirements of any ship's captain who wants to know his position. By determining the distance of the ship from the coast, he can ascertain whether or not he is in the territorial sea. Any other method of plotting the line denoting the outer limit of the territorial sea would not meet the requirement of having every point on the line exactly 3 miles from the closest

¹ The total area of the territorial sea of the continental United States, excluding Alaska, amounts to 17,321 square nautical miles, or 23,023 square statute miles.

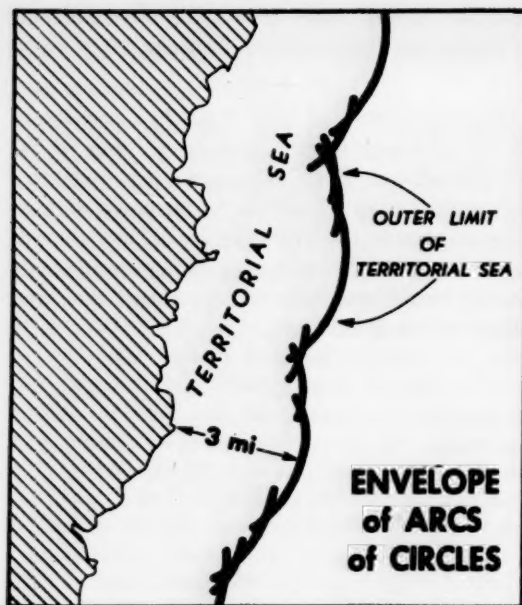


Figure 1

coastal point. For example, a line parallel to the coast, or one made up of segments measured from selected coastal points, includes irregularities that depart from a zonal breadth of 3 miles.

The outer limit of the territorial sea, following the above rule, can be marked on a chart by constructing an envelope of arcs of circles, as illustrated in figure 1. Arcs of circles with radii of 3 miles are swung from every point along the coast in order to project the outermost limit as far seaward as possible. In this way every point on the line denoting this limit is neither more than nor less than 3 miles from the closest coastal point.

It would seem, then, that the formula for delineating the territorial sea would be relatively simple, with the coast itself serving as the baseline from which to measure. To a degree this concept is true, for the low-tide line along the coast as shown on official large-scale hydrographic charts of the coastal state is recognized in international law as constituting the normal baseline. In order to fully explore the cartographic problems of the coast, the territorial sea of the United States was plotted by the author. In all cases U.S. Coast and Geodetic Survey charts served admirably for the purpose. A scale of 1:80,000 was used for the Atlantic and Gulf coasts, on which 3 nautical miles are represented by a distance of

2.7 inches. For the Pacific coast the largest scale available for complete coverage was approximately 1:180,000, which likewise permits careful consideration of coastal configuration.²

The complex configuration of coastlines in places make most difficult the measurement from a point on the shore to one 3 miles out. Shoreline indentations, mouths of rivers, bays, islands, isles, shoals, reefs, and other natural coastal features create problems awkward to resolve by formula. In addition, manmade features such as breakwaters, piers, and other harbor installations may modify the exact placement of a baseline from which to measure the territorial sea. When important issues are at stake, such as whether or not a high-seas passage between the mainland coast and an island is pinched off by the territorial sea, the precise determination of a baseline is of international concern.

Where a coastline is broken by water inlets or outlets, it is necessary to substitute a geometric baseline, for there is no actual shore from which to measure the breadth of the territorial sea. A river emptying into the ocean is a commonplace example of a break in the coastline. Here a straight line extending across the mouth of the river, referred to as a "closure," provides the link necessary for a continuous coastal baseline. Also, island complexes may in places require straight baselines, or closures, to be drawn across intervening bodies of water.

Figures 2 to 9 should prove helpful in illustrating principles involved in establishing any baseline other than along the low-water mark of the coast itself. These principles are drawn from the Convention on the Territorial Sea and the Contiguous Zone as adopted at the Law of the Sea Conference at Geneva, April 27, 1958.³

Construction of the Baseline

In order to distinguish a bay from a mere curvature of the coastline, the semicircle test is made, first by drawing a straight line between the natural entrance points of the indentation. The water thus closed off forms a bay if its area is as large as, or larger than, that of a semicircle the

²The U.S. Coast and Geodetic Survey charts used in measuring the territorial sea were Atlantic and Gulf coasts, 1200 series; Pacific coast, in the 5000 series. A total of 89 charts were utilized.

³For text, see BULLETIN of June 30, 1958, p. 1111.

diameter of which is equal in length to the closing line. In figure 2 the upper indentation qualifies as a bay; the lower one does not. Monterey Bay along the coast of California is an example of a test case. At first sight this indentation appears to be no more than a concave coastline, but because of the northward projection of Point Pinos at the southern entrance point the water within Monterey Bay is sufficient to pass the semicircle test.

The Convention on the Territorial Sea and the Contiguous Zone limits the entrance of any bay to not more than 24 nautical miles. In event that the distance between the natural entrance points of a bay exceeds that distance, a straight baseline of 24 miles is drawn within the bay in such a way as to enclose the maximum water area that is possible with a line of that length. Figure 3 illustrates the principle diagrammatically. The rule has practical application in Florida, where a closing line 24 miles in length extends from East Cape to Vaca Key to close off the maximum amount of water between the coast of Florida and the chain of keys curving south and east.

Bays, because of the placement of islands in the vicinity of their entrances, may have several channels of ingress. Under such circumstances

an individual closing line is drawn across each entrance. To be identified as a bay, the area of water thus closed off must be as large as, or larger than, that of a semicircle the diameter of which is equal to the sum total of the individual closing lines. A bay with islands which give it five entrances is shown in figure 4. Situations of this kind abound along some portions of the coast. The one of most impressive dimensions is Mississippi Sound, partially closed off by a series of sandy islands.

Islands have their own territorial seas, which may or may not coalesce with the territorial sea of the mainland, as illustrated in figure 5. Islands within 6 miles of each other have territorial seas which of necessity overlap and in steppingstone fashion may extend the sovereignty of the state over distances far beyond the mainland coast. This situation is true off the coast of Massachusetts, where the territorial sea of Martha's Vineyard coalesces with that of the mainland as well as with that of Nantucket Island. As a result territorial waters extend some 30 miles seaward from the Massachusetts coast opposite Martha's Vineyard. In contrast, the channel islands, off the coast of southern California (Catalina, San Clemente, Santa Rosa), are too distant

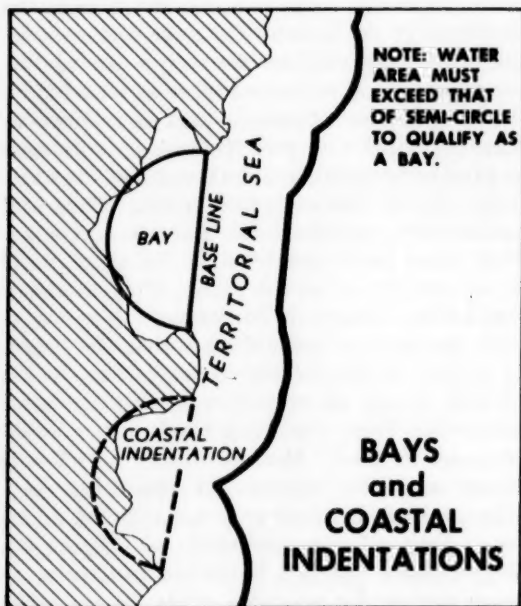


Figure 2

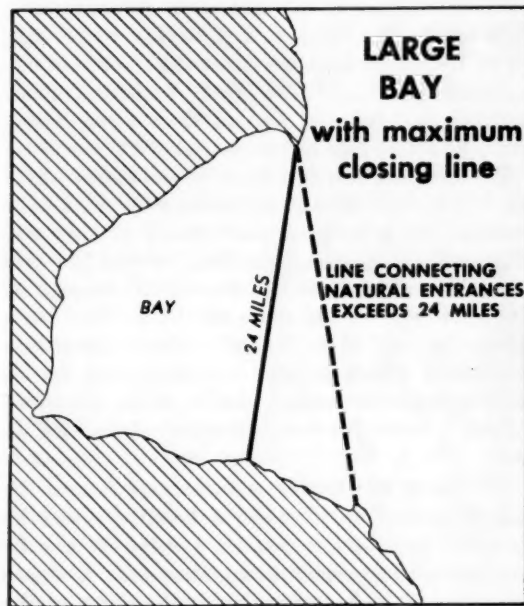


Figure 3

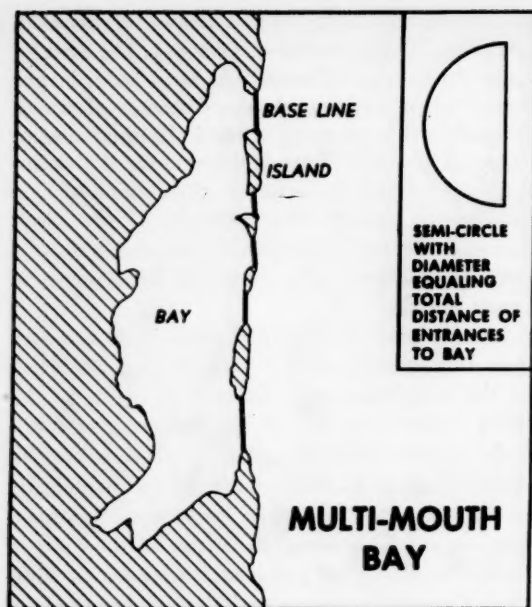


Figure 4

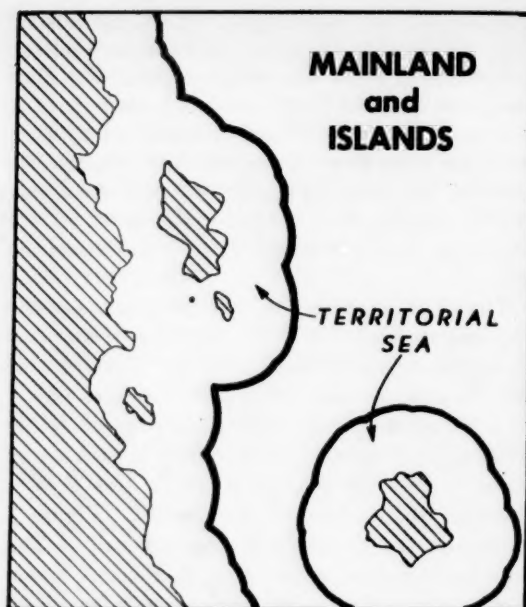


Figure 5

from the coast for their territorial seas to merge with that of the mainland. Likewise, Block Island, off the coast of Rhode Island, is more than 6 miles from the nearest land along the New England coast.

"Low-tide elevation" is a term referring collectively to shoals, reefs, and drying rocks—off-shore features which are exposed at low tide but submerged at high tide. Such features are not entitled to territorial seas of their own. However, if a low-tide elevation lies within or partially within a territorial sea of the mainland or an island, its low-water line may be used as a baseline for measuring the breadth of that sea. Figure 6 shows the distinction between low-tide elevations which have no effect on the breadth of the territorial sea and those which do. Few areas along the coast of the United States have low-tide elevations which enlarge the territorial sea to any appreciable extent. Rocks off the shores of Maine account for most instances where they do exist.

Wherever a river or stream empties into the sea, it is easy to construct a baseline across its mouth. But in the case of a delta it may be necessary to construct many closures. A classic example of such a situation is the delta of the Mississippi River in Louisiana, where distribu-

taries by the dozens empty into the Gulf of Mexico. Figure 7 shows a small segment of the Mississippi Delta where numerous closures form the greater part of the baseline. Any given distributary has its own closure unless it empties into a body of internal water lying landward from the baseline. If the mouth of a river forms an estuary, the same rule for drawing a closing line across its natural entrance applies as for a bay.

The outermost of certain permanent installations associated with port facilities are construed as parts of baselines, and the breadth of the territorial sea is measured from them. Piers and breakwaters are the most common examples. They must be connected with the shore itself or an installation on the shore. Only in exceptional circumstances do harborworks of this type push the baseline seaward more than the length of a pier. A breakwater extending into the sea in such a way as to protect a shallow coastal indentation from winds and rough waters would be a case in point. More commonly the effect is minor, as at the entrance of San Diego Bay where a short breakwater is not reflected in the outer limit of the territorial sea (figure 8). Buoys, lights attached to underwater rocks, or other devices for maritime safety do not affect the breadth of the territorial sea. Bridges along

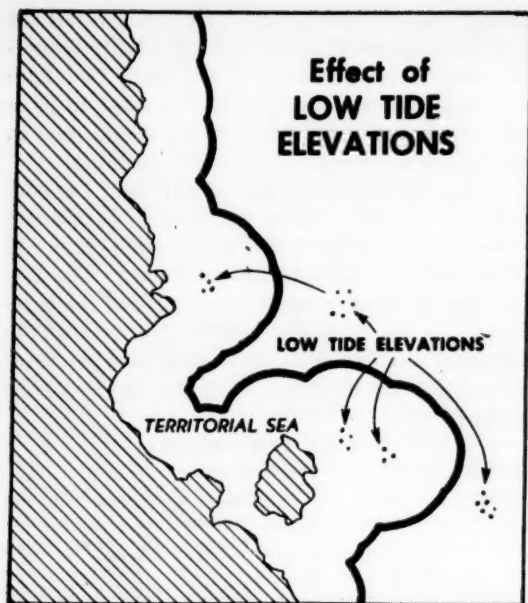


Figure 6



Figure 7

the periphery of a coast, such as those connecting the keys on U.S. Highway No. 1 between Miami and Key West, are not covered by a law-of-the-sea convention, but only in rare situations would they materially affect the baseline.

Actual situations along the coast of the United States frequently fail to conform to the simplified examples discussed and illustrated above. A highly irregular coastline with numerous offshore islands may call for a baseline involving a combination of rules that are difficult to apply. For example, what placement must an island have with respect to the entrance of a bay to be considered as part of the perimeter of that bay? The diagram in figure 9 represents a portion of the coast of Maine where islands and bays must be taken into account jointly in establishing a baseline. The resulting baseline along a coast of this type is usually a succession of straight closing lines alternating with stretches of the shoreline itself.

Ratios of Baseline to Territorial Sea

If the coast were to extend as a perfectly straight line for a mile, there would be adjacent to it a territorial sea comprising 3 square miles. It follows that in such an instance the ratio of the length of the baseline to the area of the terri-

torial sea would be 1:3. This situation is approximated along many stretches of the Atlantic and Gulf coasts. For example, in Florida, between the mouth of the St. Johns River (water entrance to Jacksonville) and Miami, the coast runs for 280 nautical miles without any but the most minor irregularities other than the bulge at Cape Canaveral. Here the ratio between the baseline and the territorial sea departs but slightly from a 1-to-3 ratio.

Offshore islands tend to increase the area of the territorial sea out of proportion to the length of the baseline along the mainland coast. A ratio of 1:4, 1:5, or even higher is possible given certain insular patterns. Islands that in steppingstone fashion extend territorial waters seaward, either as continuous areas or with breaks, are most effective in increasing the ratio. The large area of the territorial sea in relation to coastal distance is readily apparent in figure 10.

It is less common to find ratios lower than 1:3 between baselines and the territorial sea. Only under exceptional circumstances do they run below 1:2.75. The most common incidence of a ratio less than 1:3 is a moderately irregular coast with no offshore islands. The outer limit of the territorial sea along such a coast is more regular than the baseline itself. The complexities of the

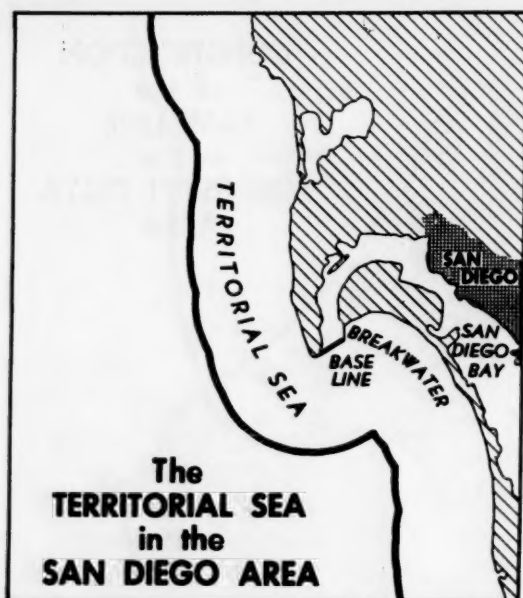


Figure 8

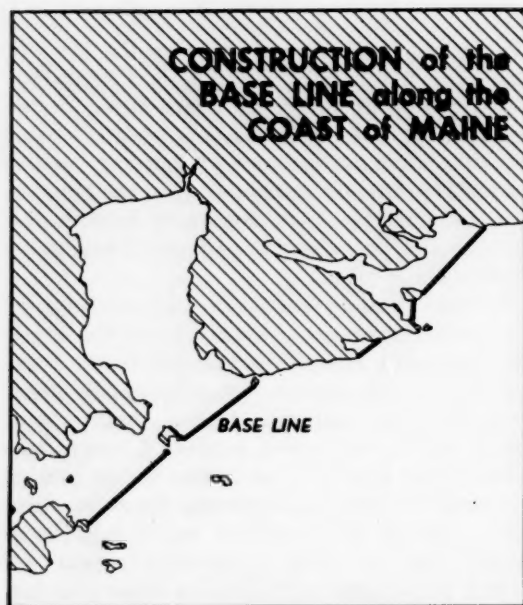


Figure 9

baseline thus become less and less evident as one measures distance seaward through the territorial sea, resulting in less area along the outer margin than along the shoreline itself. A coastal situation illustrating a low ratio appears in figure 11,

though the diminished area of the territorial sea is hardly apparent to the eye. A highly irregular coast would normally be less likely to reduce the ratio, for the straight lines needed to close off deep indentations (legal bays) would tend to straighten the overall trend of the baseline.

A breakdown of the territorial sea of the continental United States by States (excluding Alaska) gives a better idea of coastline types and their effect on offshore measurement.⁴ The following tabulation presents the length of the baseline along each State as well as the area of the resulting territorial sea—statistical data pertinent to compilation of the ratio of the former to the latter:

THE U.S. TERRITORIAL SEA
(by States)

State	Length of baseline [Nautical miles]	Area [Nautical square miles]	Ratio ¹
Maine	232.75	1,015.6	1:4.363
New Hampshire	14.00	51.8	1:3.700
Massachusetts	205.00	952.5	1:4.646
Rhode Island	43.50	193.0	1:4.437
Connecticut	7.00	18.2	1:2.614
New York	114.00	342.2	1:3.001
New Jersey	121.00	361.8	1:2.990
Delaware	26.00	75.9	1:2.919
Maryland	27.25	83.0	1:3.046
Virginia	106.75	309.7	1:2.901
North Carolina	287.75	856.2	1:2.975
South Carolina	176.75	525.6	1:2.974
Georgia	99.50	289.3	1:2.908
Florida	1,207.75	4,124.0	1:3.415
Alabama	43.00	143.8	1:3.344
Mississippi	41.75	122.1	1:2.925
Louisiana	442.75	1,751.8	1:3.957
Texas	338.75	991.8	1:2.928
California	847.25	3,638.3	1:4.294
Oregon	286.50	944.5	1:3.297
Washington	158.75	529.7	1:3.337
United States	4,827.75	17,320.8	1:3.586

¹ Ratio of the length of the baseline in miles to the area of the territorial sea in square miles.

It can be noted that among the States the baseline-to-territorial-sea ratio of Florida most nearly approaches that of the United States average—1:3.415 as compared to 1:3.586. The smooth east coast and irregular west coast of that State pull down the ratio, while the numerous keys in the

⁴ In order to apportion the territorial sea among the States of the United States, each interstate boundary was projected seaward as a median line, every point of which is equidistant from the nearest points on the base-lines of each of the two States concerned. The same method was used in distinguishing the territorial sea of the United States from that of Canada and that of Mexico.

extreme south have the opposite effect of increasing the area of the territorial sea in proportion to the length of the baseline.

Ten States have coastal baselines sufficiently regular to register a ratio between 1:2.900 and 1:3.100. New York State with a ratio of 1:3.001 has what appears to be the most regular of all. The nearly straight southern shoreline of Long Island plus the straight-line closure of New York Harbor prevent much deviation from a symmetrical 1:3 ratio.

Massachusetts, largely because of Martha's Vineyard and Nantucket, is the State with the highest ratio—1:4.646. The channel islands off the coast of California, including Catalina, give a high ratio to that State also—1:4.294. Conversely, Connecticut, with the lowest ratio of the 21 States, earns it by a baseline virtually perpendicular to that of neighboring Rhode Island. A block of the territorial sea must be divided between the two States to prevent overlapping, Connecticut thus losing a triangular segment of what would normally be attributed to it.

Coastline Measurement

From the above discussion and examples it is evident that irregularity of a coastline in itself does not imply an irregular baseline. Bays, estuaries, sounds, lagoons, and other coastal indentations in most instances insure use of a straight baseline segment to close off internal waters, which by international law are not a part of the territorial sea. For example, Cape Cod Bay, Long Island Sound, Delaware Bay, Chesapeake Bay, Pamlico Sound, Galveston Bay, and San Francisco Bay are only a few of the many bodies of water falling into this category. Thus, measuring the territorial sea from a baseline closing off internal waters gives the same effect as if the shore itself were a perfectly straight line. In both instances the ratio of coastal distance to water area is 1:3.

The length of the baseline along the coast of the United States, as discussed above, may differ greatly from coastal measurements computed by the U.S. Coast and Geodetic Survey. The actual measuring technique through the use of charts depends largely upon the amount of detail required. For examples, the general coastline distance comes to only a fraction of that obtained from measuring the tidal shoreline on a large-

scale chart. Coastlines of islands may also add considerably to the total distance. The linear values given in the table showing the U.S. territorial sea by States approximate the general coastline distance.

For a comparison of various coastal measurements the following tabulation is given for the United States (total of the Atlantic, Gulf, and Pacific coasts) and for three individual States. Of the three States, Maine was selected as a State with a highly irregular coast; Maryland was selected for its short coastline and at the same time large area of internal water; and Oregon was selected because of a lack of major indentations along the coast.

COMPARATIVE TABLE OF COASTLINE DISTANCES¹

Basis of measurement	United States	Maine	Maryland	Oregon
Baseline -----	4,828	233	27	286
General coastline distance--	4,198	198	27	257
General tidal shoreline----	11,169	586	392	271
Detailed tidal shoreline----	46,558	3,017	2,767	1,223

¹Summary explanation of measuring techniques: All distances on table given in nautical miles. Baseline distances were measured by recording instrument on U.S. Coast and Geodetic Survey chart series at largest available scales. Other distances were taken from C.&G.S. documents, with comments, as follows: (1) general coastline distance measured in units of 30 minutes on maps at a scale of 1:1,200,000, (2) general tidal shoreline measured in units of 3 statute miles on maps at scales of 1:200,000 and 1:400,000 where available, (3) detailed tidal shoreline, including islands, obtained by recording measure on largest available charts.

From the above discussion and table on coastal measurement it should be apparent that the terms "baseline," "coastline," and "shoreline," despite their interrelationship, are not interchangeable. While the latter two have physical connotations, the first of these terms may be physical, geometrical, or a combination of the two. In matters of the law of the sea, "baseline" has a special legal meaning.

Breadth of the Territorial Sea

There is much discussion throughout the world relative to a territorial sea with a breadth greater than 3 miles. Some states, including the Soviet Union, the United Arab Republic, and Panama, have unilaterally made such claims, though the United States does not recognize them as conforming to international law. In March or April 1960 a United Nations conference is scheduled to convene at Geneva in an effort to settle, among other

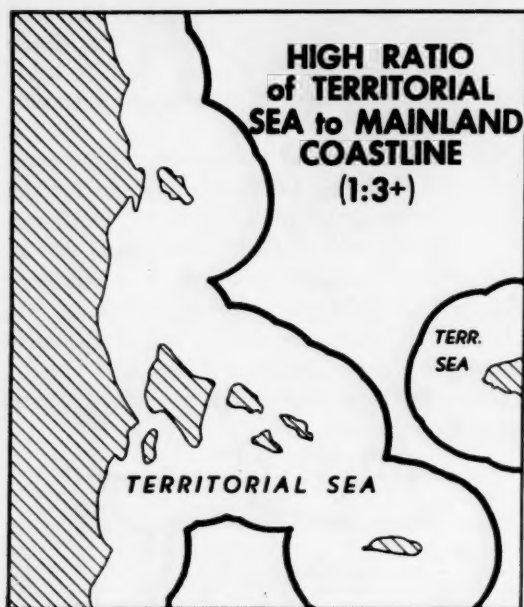


Figure 10

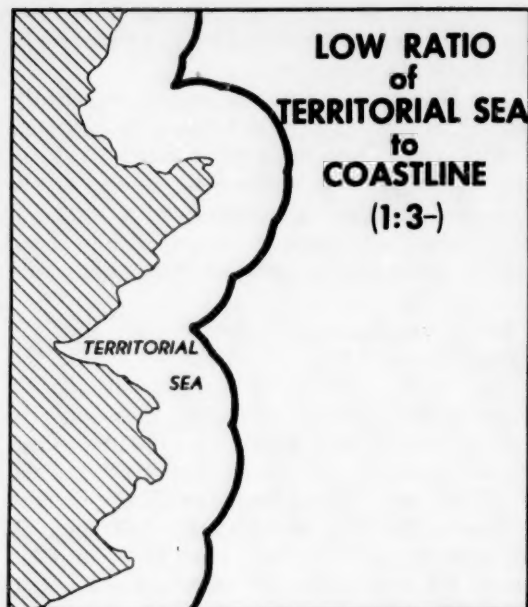


Figure 11

issues, a territorial sea with a breadth acceptable to all states.⁵

The territorial sea of the United States would be materially affected if, for example, 6 miles should become the established breadth. The baseline would remain consistent under such a circumstance, but the outer limit of the territorial sea would extend twice as far seaward as it now does. However, the area of the enlarged offshore zone, though 6 miles in breadth, would not necessarily be multiplied by exactly 2. Depending upon the configuration of the coast and the placement of offshore islands, the area of a 6-mile territorial sea could be either less than double or more than double that of a 3-mile sea. Islands would tend to increase the area of a 6-mile territorial sea out of proportion to the length of the baseline.

Figure 12 illustrates a situation in which the augmentation of the territorial sea from a breadth of 3 miles to one of 6 miles more than doubles the area. For example, it is a simple problem in geometry to calculate that a small island may double the breadth of its territorial sea and thereby quadruple the area of that sea.

In some situations the addition of a second 3-mile zone to the breadth of the territorial sea

would fall short of doubling the area. An irregular coastline facing the open ocean, but with no offshore islands, serves as a baseline from which measurements register less and less distortion as they extend seaward. Thus, the outer limit of a 3-mile zone is less irregular than the baseline itself. In turn, the outer limit of a 6-mile zone is still less irregular. The less the distortion, the more reduced the area, as has already been illustrated in figure 11. Here is a situation where the outer 3-mile zone of the territorial sea is smaller than the inner one. However, any such differences are relatively insignificant and amount to square yards rather than square miles or appreciable fractions of square miles for any given mile of baseline.

The territorial sea of the United States, 3 miles in breadth, was measured as comprising 17,320.8 square miles (nautical) of water surface. It is estimated that a 6-mile zone would cover an area of approximately 37,480 square miles.⁶ Area, however, is far from the major criterion in differentiating between a 3-mile and a 6-mile territorial

⁵ To arrive at this figure, the factor of irregularity as generally reflected in the baseline-to-area ratio was carried into a second 3-mile zone. This method was adopted since islands are largely responsible for ratios exceeding the normal 1:3.

⁶ For background, see BULLETIN of Jan. 12, 1959, p. 64.

sea. Of greater import is the relation between the territorial sea and the high seas at critical points, such as straits, channels, and other narrow water passages where a very few miles may close off or open up a high-seas route. In event of a 6-mile territorial sea, Block Island off the coast of Rhode Island would not be separated from the mainland coast by high seas. Off the coast of California the territorial sea of some of the channel islands would coalesce with that of the mainland, and Santa Barbara Channel would no longer be traversed by a passage of high seas.

The Straight Baseline

The Convention on the Territorial Sea and the Contiguous Zone permits the use of straight baselines⁷ along a coast which is "deeply indented and cut into, or if there is a fringe of islands along the coast in its immediate vicinity." Such a line may be drawn along the outer perimeter of promontories and islands making up an irregular shoreline or coastal archipelago. All waters landward from the line are identified as internal. Just where this type of situation exists is difficult to ascertain objectively, but the coast of Norway constitutes a clear-cut example,⁸ as does that of the archipelago along the southeast coast of Alaska.

Along the coasts of the continental United States—again excluding Alaska—no situation appears to exist which could be construed as requiring the use of a straight baseline. However, three coastal areas are sufficiently complex to give pause to a consideration of the use of this method. Most pronounced of the three areas is the "rockbound" coast of Maine north of Portland, where the shoreline is fractured by penetrating arms of the sea. Less spectacular, the Florida Keys and Mississippi Delta make up two very irregular

⁷ The term "straight baseline" used to denote a method of drawing a baseline seaward from the coast is the same as that which may be used to denote a closing line across a bay or river mouth. Hence there may be room for confusion unless the term is used in context.

⁸ A test case in international law supported the use of the straight baseline in the 1951 ruling of the International Court of Justice in the *Fisheries* case (*United Kingdom v. Norway*), I.C.J. Reports, Dec. 18, 1951.

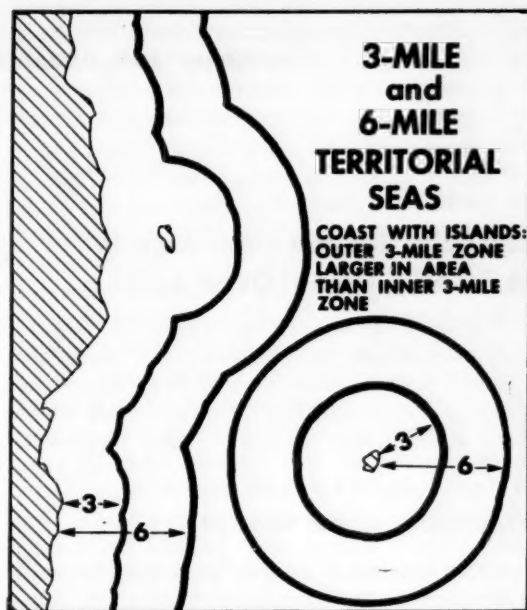


Figure 12

coastal patterns. Nevertheless, in all three cases the use of closing lines across the entrances to bays or other bodies of internal waters at frequent intervals already carries the baseline seaward from the shoreline itself. The establishment of a straight baseline would therefore only be a further step in this same direction, which, in many instances, would at most increase the area of internal waters by modest amounts.

Importance of Delineation

The traditional territorial sea of the United States, though insuring a zone of offshore sovereignty, is at the same time consistent with a policy of world trade and a free interchange of goods and ideas. Limitation of this zone to a breadth of 3 miles permits a margin of defense security along the coast which does not appreciably cut into the world's commercial sealanes. The territorial sea itself, however, must be maintained as sovereign waters. For that reason a sharp delineation of the outer limit of the territorial sea is required, even though as a boundary in an international sense it crosses water rather than land.

The Scientific and Legal Aspects of Peaceful Uses of Outer Space

Following are statements by Hugh L. Dryden, U.S. Alternate Representative on the U.N. Ad Hoc Committee on Peaceful Uses of Outer Space, and Leonard C. Meeker, U.S. Representative on the legal subcommittee of the Ad Hoc Committee.

STATEMENT BY DR. DRYDEN¹

At the meeting of the *Ad Hoc* Committee on the Peaceful Uses of Outer Space on May 7th,² I had the honor of presenting a working paper on topic 1(b)³ which had been prepared by the United States delegation. This paper explored in a preliminary way some of the types of cooperative activities in the peaceful uses of outer space which promise benefit to all the peoples of the world. At this time I wish to provide additional information and to give a brief summary of the paper.

For centuries some men have speculated about the possibility of the exploration of interplanetary space. If I may be pardoned a personal reference, as a boy, I, like many of you, read and was enthralled by the novels of Jules Verne. At that time the journey from my grandfather's farm to the nearest town 12 miles away and return required most of 1 day by horse and wagon. Fantastic as Jules Verne's story of travel to the moon appeared when it was written, the story now seems a tribute to his marvelous vision of the future. The exploration of space by unmanned vehicles carrying scientific apparatus has already begun; exploration by man will follow in due course.

Assessing Future of Space Exploration

The exploration of space is regarded by many as an extension of the exploration of the air, based on an extrapolation of the same underlying technology, including aerodynamics, propulsion structures, materials, communications, navigation,

and control. In attempting to assess the future of space exploration and its contribution to human welfare, it is instructive to imagine one's self on the scene at Kitty Hawk when the fragile cloth, wood, and wire vehicle flew through the air for less than a minute. One wonders whether he could have had the wisdom to assess the tremendous future growth and impact of the airplane on the life of men in all nations. Who could have foreseen the amazing increases in speed, altitude, size, range, and safety of the airplane? Who could have foretold the manifold uses of the airplane for the benefit of man? Would we have been at the forefront of those who advocated the support of its development with the resources of society as a whole?

Today we have similar problems of assessment of the reasons for and the objectives of the exploration of space and of determining the methods and pace at which we proceed. In the past 18 months 10 earth satellites and 5 space probes have been successfully launched. Perhaps the most dramatic discovery was that of the existence of clouds of charged particles trapped in the magnetic field of the earth which generate radiation when they strike material objects such as a satellite. Because of this effect this region is often called the great radiation belt of the earth. There are in fact two radiation belts. The inner belt extends from approximately 2,000 to approximately 5,000 kilometers above the surface of the earth. The radiation in this belt is very penetrating. Many physicists believe that the particles in this region arise from the effects of cosmic rays striking the atmosphere. The outer belt ex-

¹ Made on May 26 before the scientific subcommittee of the *Ad Hoc* Committee (U.S./U.N. press release 3190). Dr. Dryden is Deputy Administrator, National Aeronautics and Space Administration.

² For statements made before the *Ad Hoc* Committee on May 6 and 7 by Ambassador Henry Cabot Lodge, Loftus Becker, and Dr. Dryden, see *BULLETIN* of June 15, 1959, p. 883.

³ U.N. doc. AC. 98/L. 2.

tends from approximately 13,000 to from 50,000 to 85,000 kilometers, the outer boundary moving to the greater distances when solar activity increases. The radiation in this region is much less penetrating. It is believed that the particles come from the sun. As they spiral along the magnetic lines of force, they finally enter the atmosphere in the far north and south. The impact with air molecules produces the well-known auroral displays in the Arctic and Antarctic.

Much additional scientific information has been obtained during the past months from the satellites already launched. More accurate determinations have been made of the shape of the earth. We find it slightly pear shaped with the stem at the north. Measurements have been made of the electron density in the ionosphere above the altitudes for which information was previously available. We have found that the density of the upper atmosphere is higher than expected and that it varies with position and time with close correlation with solar activity.

The U.S. Working Paper

This is an imposing record of accomplishment, but our ignorance is still profound and our operational experience extremely limited. The working paper submitted by the United States therefore describes potential accomplishments and potential uses as seen by scientists and engineers who are engaged in space activities.

The first section of the working paper is devoted to a brief survey of research in many sciences through the use of sounding rockets, satellites, and space probes. These new tools make possible the transport of scientific measuring instruments and apparatus to the site of the natural phenomena to be studied and the transmission of the data to the scientist in his earth laboratory. The scientific disciplines involved in the earlier experiments are those of physics, chemistry, astronomy, and their specialized areas. Later physiology, psychology, biology, and medicine will be included as man enters as the most versatile and adaptable instrument we know and as an object of scientific investigation in the space environment.

This section also lists present international activities in space science and some possible functions which the *Ad Hoc* Committee might wish to examine. I emphasize, Mr. Chairman, that

these functions are presented for examination and discussion by the working group, without any conclusion at this time as to their feasibility or appropriateness for conduct under the auspices of the United Nations.

The second section deals with the foreseen uses of earth satellites to perform more efficiently and effectively some tasks which are now carried out by other means and to perform other tasks which cannot be done at all with present means. The currently foreseeable applications are to meteorology, worldwide communications, geodesy, and navigation. Only one or two exploratory experiments have been made in these areas, but the potential benefits are very great. There is much promise that earth satellites may revolutionize meteorological research and the observation of weather, resulting in improved weather forecasting. The development of an operative satellite system for weather observation, analysis, and forecasting offers a wide field for international cooperation in the development of instrumentation, the reception and analysis of data, and their application to meteorological research and forecasting.

Similarly the development of the knowledge, experimental data, and components for a worldwide communications system of great capacity for simultaneous handling of numerous messages is an enterprise with great potential benefit to all nations. The accomplishment of this objective requires much experimental data and the development of transmitters, antennas, and receivers. Many nations have experts in these fields who could contribute. There is great interest in the use of satellites as passive reflectors, for these could be used by any nation or person who provides the necessary ground equipment. Some experts believe that such a system may be economically competitive with ocean cable for transatlantic communication. Moreover, such a system would permit the transmission of television, which cannot be done at all over ocean cables.

In this section, also, the working paper describes functions which the *Ad Hoc* Committee might wish to examine.

The third section deals with manned space exploration. At this stage in the development of space vehicles it appears that our present considerations can only be of a preliminary nature. There are, however, underlying areas of research

with ground equipment on the tolerance of man to the stresses of acceleration, vibration, spinning, temperature, and impact and on life-support systems to keep vehicle environment within physiological limits as to pressure, humidity, oxygen supply, carbon dioxide, and other waste removal, which are of great importance to future mammal space flight. Many nations contribute to knowledge in these fields, some of which are also of importance in transport airplanes.

The next section of the working paper describes various practical arrangements affecting the conduct of outer-space programs which have a technical aspect. These include the important and pressing subject of the use of radio frequencies in space activities and many other matters which we should consider together.

Our paper then discusses the problem of the widest possible dissemination of scientific and technical information and methods for increasing the competence and skills of all countries to participate more effectively in space programs to the greater benefit of all.

We believe that the United States working paper covers the subject matter set forth in paragraph 1(b) of the General Assembly's resolution,⁴ which provides the terms of reference for our work here. Of course, there are points on which more detail may be desirable or on which a different emphasis may prove helpful. We think, however, that our work can be facilitated in the first instance by drawing fully on this paper and the other excellent papers that have been submitted in developing the framework for our report.

STATEMENT BY MR. MEEKER⁵

The United States delegation has today [May 28] circulated a working paper in document AC.98/L.7 of the United Nations *Ad Hoc* Committee on the Peaceful Uses of Outer Space. This working paper has been cast, for convenience, in the form of a draft report by the Committee to the General Assembly under paragraph 1(d) of the Committee's terms of reference. The working

paper is offered in the hope that it may help in moving forward the task of the legal subcommittee.

I should like to take this opportunity to explain the structure, contents, and motivating ideas of the paper we have submitted. In the preparation of this paper we have had the advantage of the excellent observations and suggestions made in the course of the general debate.

The *Ad Hoc* Committee has been asked, in the legal area, to report on the nature of legal problems which may arise in the exploration of outer space. This entails the preparation of a list of actual and anticipated legal problems. A bare list, however, would not be very illuminating to those who had not participated in preparing it. It is our purpose to provide the General Assembly with a selective list accompanied by some discussion which would indicate why the questions selected for listing are considered to be problems and which would furnish some clues as to rational priority of treatment. At the same time the Committee is not charged with recommending answers to the problems. Nor would the time available to us or the facts now known make possible any comprehensive attempt of this sort.

Two Categories of Legal Problems

Our delegation has thought it would be most helpful to the General Assembly in its further consideration of international cooperation in the peaceful uses of outer space if the presently identifiable legal problems were to be sorted into two general groupings so as to mark separately those problems which seemed to call for and be amenable to relatively early treatment by the community of nations from those that did not. With this in mind we have listed the following six general topics as priority problems:

1. Availability of outer space for exploration and use;
2. Liability for injury or damage caused by space vehicles;
3. Allocation of radio frequencies;
4. Interference between spacecraft and aircraft;
5. Identification and registration of space vehicles and coordination of launchings;
6. Reentry and landing of space vehicles.

I want to say that all of these items refer to rela-

⁴ For text, see BULLETIN of Jan. 5, 1959, p. 32.

⁵ Made on May 28 before the legal subcommittee of the *Ad Hoc* Committee (U.S./U.N. press release 3191). Mr. Meeker is Assistant Legal Adviser for United Nations Affairs, Department of State.

tionships among governments and are not immediately and primarily concerned with questions that might arise between governments and private persons.

The draft submitted by the United States delegation does not attempt to prescribe the organizational and procedural means, in each case, by which solution of the various enumerated problems might be sought and international cooperation might be carried on under United Nations auspices. It would seem that the *Ad Hoc* Committee will want to consider these questions when the Committee responds to the Assembly's request for a report (under paragraph 1(c) of the resolution) on future organizational arrangements.

It should also be observed that some legal topics may not need special treatment by way of international agreement or otherwise. For example, as stated earlier by the United States in the *Ad Hoc* Committee, it seems clear that the application of the charter of the United Nations and statute of the International Court of Justice to relations among states is not spatially limited to the confines of the earth. And the distinguished representative of Brazil, in his thoughtful statement yesterday, enunciated the principle that outer space is free and open to all on the basis of equality among states as set forth in the charter and is not to be appropriated to any national sovereignty. Such propositions as these seem sufficiently evident and generally agreed as to make it inappropriate for prolonged study or special international action to be taken in regard to them. The draft report accordingly contains only brief mention of them.

The United States working paper concludes with a grouping of certain other legal problems which can already be foreseen but which do not appear to lend themselves to early disposition. It is not our intention, of course, to characterize these as any less important. In addition I would like to call attention to the recommendation in the draft report that the legal problems and their relative priority be kept under regular review by whatever means the General Assembly should deem appropriate. The problems mentioned in the second grouping of the draft report are:

1. The boundaries of air space and of outer space;
2. The feasibility and desirability of a comprehensive codification of rules of law applicable to activities in outer space; and

3. Problems relating to the exploration of celestial bodies.

Finally, the draft report mentions the problems of physical interference among space vehicles and relations with any extraterrestrial forms of life that might one day be encountered abroad in the universe.

Drafting Sessions To Consider Legal Problems

Now, Mr. Chairman, I should like to suggest the desirability of the legal subcommittee's arranging at the close of the general debate for a series of drafting sessions to be undertaken perhaps by a working group designated by the Chair. The subcommittee could refer to such a group the various papers that have been circulated, together with the record of the debates on legal problems that have taken place in the General Assembly, in the *Ad Hoc* Committee, and in this subcommittee. The working group could be charged with the preparation of a draft report under paragraph 1(d) of our basic resolution. This group could avail itself of the ready opportunities for consultation with members of the technical subcommittee and with representatives of the specialized agencies, as required. Then the working group's draft could be reported back to this subcommittee next week for consideration before approval and submission to our parent body, the *Ad Hoc* Committee.

Acceleration of History

A phenomenon of the modern era often noted by historians is the apparent acceleration of the pace of history. This is said particularly of developments in science and technology. We hear also of cultural lag—meaning, in significant part, the failure of social and political institutions to keep abreast of the changes wrought by science and technology.

Yet one consequence of the acceleration of history is that it gives to a single generation the chance to see the events of its own time in wider and deeper perspective. This realization lays increased responsibility upon the peoples and governments of the 20th century. It gives also opportunities for creative political action greater than any opportunities known in the past.

May it be in such a spirit of imagination and adventure that the nations of the world now enter the space age. The international community has

before it the prospect of developing and practicing new techniques of cooperation and organization in exploring outer space. The skills and resources of all countries, regardless of their present space capabilities, will be needed, and will be in turn enriched, in this effort. The fruits of such cooperation, leaving behind narrow nationalisms, are incalculable in the progress they might score toward peace and justice among the peoples of the earth. The challenge of space exploration is so great in its demands on human knowledge and resources that international cooperation which is in any way commensurate with the possibilities of this new realm could in time relegate international differences to insignificance.

Development of law to govern activities in outer space is one of the great tasks that lie ahead. It is our hope that careful and well-considered beginnings now can lead to rules and relationships which will stand the test of time.

Baghdad Pact Council Invited To Meet at Washington

Press release 411 dated June 10

In response to a request of the member states, the Department of State has invited the Baghdad Pact Ministerial Council to hold its next session at Washington, D.C., from October 7 to 9, 1959.¹ Iran, Pakistan, Turkey, and the United Kingdom are members of the Pact. The United States, while not a member, has supported that body from its inception in 1955.

The United States invitation has been extended to the member governments through the organization's Council Deputies at Ankara by Fletcher Warren, American Ambassador to Turkey and the U.S. observer in the Council Deputies. The invitation is further evidence of the United States support of these nations in their determination to maintain their national independence and territorial integrity.

The United States will participate in the forthcoming Ministerial Council session in its observer capacity.

¹ For statements by Deputy Under Secretary Loy W. Henderson at the time of the sixth session of the Ministerial Council at Karachi, Pakistan, Jan. 26-28, 1959, together with the text of the final communique, see *BULLETIN* of Mar. 2, 1959, p. 318.

Current U.N. Documents: A Selected Bibliography¹

Security Council

Letter Dated 31 March 1959 From the Permanent Representative of India Addressed to the President of the Security Council Regarding Pakistani Allegations of 30 December 1958 (S/4143). S/4177. March 31, 1959. 1 p.

Letter Dated 7 May 1959 From the Acting Permanent Representative of Pakistan Addressed to the President of the Security Council Regarding Indian Letters of 4 March 1959 (S/4169) and 5 March 1959 (S/4170). S/4185. May 7, 1959. 2 pp.

General Assembly

International Law Commission. Fourth Report on the Law of Treaties. A/CN.4/120. March 17, 1959. 136 pp.

Committee Established Under General Assembly Resolution 1181 (XII). Comments by governments on the question of defining aggression. A/AC.91/1 Rev. 1. April 3, 1959. 14 pp.

Question of Nuclear Weapons Tests. Letter dated 17 April 1959 from the permanent representative of the U.S.S.R. to the United Nations, addressed to the Secretary-General. A/4097. 10 pp.

United Nations Special Fund. First report of the Advisory Committee on Administrative and Budgetary Questions to the General Assembly at its 14th session. A/4099. April 23, 1959. 7 pp.

Question of Nuclear Weapons Tests. Letter dated 29 April 1959 from the representative of the United States to the United Nations, addressed to the Secretary-General. A/4101. April 30, 1959. 3 pp.

Question of Nuclear Weapons Tests. Letter dated 29 April 1959 from the permanent representative of the United Kingdom to the United Nations, addressed to the Secretary-General. A/4102. April 30, 1959. 2 pp.

Question of Nuclear Weapons Tests. Letter dated 4 May 1949 from the permanent representative of the U.S.S.R. to the United Nations, addressed to the Secretary-General. A/4103. May 6, 1959. 6 pp.

Economic and Social Council

Economic Commission for Asia and the Far East. Report of the Committee on Industry and Natural Resources (Eleventh Session) to the Commission (Fifteenth Session). E/CN.11/499. February 24, 1959. 50 pp.

Report of the Universal Postal Union. E/3216. March 3, 1959. 105 pp.

Economic Commission for Latin America. Technical Assistance Activities in the ECLA Region, 1958. E/CN.12/505. March 15, 1959.

Economic Commission for Latin America. Preparation for Programme Appraisal for 1959-1964. E/CN.12/500 and Corr. 1. March 25, 1959. 46 pp.

Freedom of Information. Special Report of the Commission of Human Rights on Item 3: "Freedom of Information" of its Fifteenth Session. E/3224. March 27, 1959. 17 pp.

¹ Printed materials may be secured in the United States from the International Documents Service, Columbia University Press, 2960 Broadway, New York 27, N.Y. Other materials (mimeographed or processed documents) may be consulted at certain designated libraries in the United States.

Economic Commission for Latin America. Government Policies Affecting Private Foreign Investment in Latin American Regional Markets. E/CN.12/C.1/12. March 28, 1959. 25 pp.

Economic Commission for Latin America. The Latin American Common Market and the Multi-lateral Payments System. E/CN.12/C.1/9. March 28, 1959. 72 pp.

Economic Commission for Latin America. Report of the Second Session of the Central Banks Working Group. E/CN.12/C.1/10. March 28, 1959. 41 pp.

TREATY INFORMATION

U.S. and Mexico Agree To Extend Air Transport Agreement

Press release 429 dated June 13

Delegations of the United States and Mexico which have been meeting at Mexico City for several weeks announced on June 13 that they are recommending to their respective governments the extension for another year of the provisional civil aviation arrangement between the two countries¹ which was due to expire on June 30, 1959. This agreement will be confirmed by an exchange of diplomatic notes between the Mexican Ministry of Foreign Affairs and the American Embassy at Mexico City. Heads of both delegations stated that the negotiations were conducted in an atmosphere of cordiality and that discussions would be resumed later this fall for the purpose of continuing the study of operations under the provisional understanding and the expansion of the current route exchanges.

Public Law 480 Agreement Signed With Argentina

Press release 424 dated June 12

The U.S. Government on June 12 concluded an agreement with the Government of the Argentine Republic for the sale to Argentina, for pesos, of \$33 million worth of edible oils and rice under the provisions of title I, Public Law 480, the Agricultural Trade Development and Assistance Act.

¹ Treaties and Other International Acts Series 3776 and 4099.

The agreement was signed at Washington by Assistant Secretary Roy R. Rubottom, Jr., and Argentine Ambassador César Barros Hurtado. Negotiations with the Argentine Embassy were conducted by officials of the Department of State, the Department of Agriculture, and the International Cooperation Administration in collaboration with other interested U.S. Government agencies. The Department of Agriculture is issuing a separate public announcement which provides further details concerning the transaction.

Three-quarters of the proceeds of this sale will be made available for loans designed to increase trade between the two countries and to contribute to Argentina's economic development.

In announcing this agreement the U.S. Government referred to the sympathetic interest with which it has followed the determined efforts of the Argentine Government to meet and solve its present economic problems and to create the conditions for further development of Argentina's rich resources in the interest of the Argentine people. It is hoped that the present agreement will be helpful in this regard.

Current Actions

MULTILATERAL

Bills of Lading

International convention for unification of certain rules relating to bills of lading, and protocol of signature. Dated at Brussels August 25, 1924. Entered into force June 2, 1931. 51 Stat. 233.

Ratification deposited: Yugoslavia, April 17, 1959.

Slavery

Protocol amending the slavery convention signed at Geneva September 25, 1926 (46 Stat. 2183), and annex. Done at New York December 7, 1953. Entered into force for the United States March 7, 1956. TIAS 3532.

Acceptance deposited: Morocco, May 11, 1959.

War

Geneva convention relative to treatment of prisoners of war;

Geneva convention for amelioration of condition of wounded and sick in armed forces in the field;

Geneva convention for amelioration of condition of wounded, sick, and shipwrecked members of armed forces at sea;

Geneva convention relative to protection of civilian persons in time of war.

Dated at Geneva August 12, 1949. Entered into force October 21, 1950; for the United States February 2, 1956. TIAS 3364, 3362, 3363, and 3365, respectively.

Ratification deposited: New Zealand, May 2, 1959.¹

¹ Maintained reservation to article 68, paragraph 2, of convention relative to protection of civilians.

BILATERAL

Ceylon

Agreement amending the agricultural commodities agreement of March 13, 1959 (TIAS 4211). Effected by exchange of notes at Colombo May 28, 1959. Entered into force May 28, 1959.

Cuba

Convention for the conservation of shrimp. Signed at Habana August 15, 1958.²

Senate advice and consent to ratification given: June 4, 1959.

Federation of Malaya

Special technical cooperation agreement providing for detail of American income tax experts to Malaya. Effected by exchange of notes at Kuala Lumpur May 19 and 22, 1959. Entered into force May 22, 1959.

Finland

Agreement further amending the agreement of July 2, 1952, as amended (TIAS 2555 and 3704), for financing certain educational exchange programs. Effected by exchange of notes at Helsinki May 30, 1959. Entered into force May 30, 1959.

Germany

Agreement providing for a voluntary contribution to costs resulting from maintenance of United States troops in Germany. Effected by exchanges of notes at Bonn June 7, 1957.

Entered into force: May 12, 1959 (date on which Germany notified the United States of its constitutional approval).

Poland

Agreement further amending the agricultural commodities agreements of June 7, 1957, as amended (TIAS 3839, 3878, and 3973), and February 15, 1958, as amended (TIAS 3991 and 4046). Effected by exchange of notes at Washington May 26 and 29, 1959. Entered into force May 29, 1959.

South East Asia Treaty Organization

Agreement relating to a cholera research program. Effected by exchange of notes at Bangkok May 29, 1959. Entered into force May 29, 1959.

Switzerland

Agreement amending agreement for cooperation concerning production of nuclear power of June 21, 1956 (TIAS 3745). Signed at Washington April 24, 1959.

Entered into force: June 8, 1959 (date each party received from the other written notification that it has complied with statutory and constitutional requirements).

DEPARTMENT AND FOREIGN SERVICE

Confirmations

The Senate on June 5 confirmed J. Graham Parsons to be an Assistant Secretary of State.

The Senate on June 9 confirmed C. Douglas Dillon to be Under Secretary of State. (For biographic details, see Department of State press release 420 dated June 12.)

² Not in force.

Designations

William J. Crockett as Deputy Assistant Secretary for Budget and Finance, effective May 31.

Edward W. Sheridan as International Cooperation Administration representative to British Guiana. (For biographic details, see Department of State press release 418 dated June 11.)

W. Alan Laffin as director of the U.S. Operations Mission to Panama, effective June 14. (For biographic details, see Department of State press release 425 dated June 12.)

Check List of Department of State Press Releases: June 8-14

Press releases may be obtained from the News Division, Department of State, Washington 25, D.C. Release issued prior to June 8 which appears in this issue of the BULLETIN is No. 387 of June 3.

No.	Date	Subject
402	6/8	Herter: Foreign Ministers meeting.
†403	6/8	Intergovernmental shipping talks (rewrite).
*404	6/9	Revised itinerary for heads of European communities.
405	6/9	Kirk appointed to NATO studies committee (rewrite).
*406	6/9	McIntosh nominated ambassador to Colombia (biographic details).
†407	6/9	Foreign Relations volume published.
408	6/9	Dillon: exchange of remarks with heads of European communities.
409	6/10	Dillon: "The Challenge of Economic Growth in the Free World."
410	6/10	Queen Elizabeth and Prince Philip to visit Chicago (rewrite).
411	6/10	Baghdad Pact meeting at Washington.
412	6/10	Economic discussions with Poland.
413	6/10	U.S. reply to Cuban sugar offer.
*414	6/10	President to attend FSI graduation ceremonies.
415	6/11	Iraq credentials (rewrite).
416	6/11	Herter: Foreign Ministers meeting.
417	6/11	U.S. note concerning Cuban agrarian reform law.
*418	6/11	Sheridan designated ICA representative, British Guiana (biographic details).
419	6/12	Communique of U.S. and heads of European communities.
*420	6/12	Dillon sworn in as Under Secretary of State (biographic details).
*421	6/12	FSI graduation ceremonies.
†422	6/11	Dillon: intergovernmental shipping talks.
†423	6/12	DLF loan to Yugoslavia (rewrite).
424	6/12	P.L. 480 agreement with Argentina.
*425	6/12	Laffin designated USOM director, Panama (biographic details).
†426	6/12	Dillon: FSI graduation ceremonies.
427	6/12	Herter: Foreign Ministers meeting.
429	6/13	Aviation conference in Mexico.

* Not printed.

† Held for a later issue of the BULLETIN.

Agriculture

Economic Discussions Between the United States and Poland (text of agreement) 959

Public Law 480 Agreement Signed With Argentina 977

U.S. Informs Cuba of Views on Agrarian Reform Law 958

United States Replies to Cuban Sugar Offer 959

Argentina. Public Law 480 Agreement Signed With Argentina 977

Austria. Austria Establishes Fund To Settle War Claims of Political Persecutees 962

Aviation. U.S. and Mexico Agree To Extend Air Transport Agreement 977

Claims and Property. Austria Establishes Fund To Settle War Claims of Political Persecutees 962

Cuba

U.S. Informs Cuba of Views on Agrarian Reform Law 958

United States Replies to Cuban Sugar Offer 959

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Confirmations (Dillon, Parsons) 978

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313 N FIRST ST
ANN ARBOR MICHIGAN

UNITED STATES
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DIVISION OF PUBLIC DOCUMENTS
WASHINGTON 25, D.C.
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE, \$300
(GPO)



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